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FROM THE  
UNITED STATES GOVERNMENT











**STATUTES**  
**OF THE**  
**UNITED STATES OF AMERICA,**

**PASSED AT THE**  
**FIRST SESSION OF THE SIXTY-SEVENTH CONGRESS,**  
**1921,**

**AND**  
**CONCURRENT RESOLUTIONS OF THE TWO HOUSES OF CONGRESS, RECENT TREATIES,**  
**AND EXECUTIVE PROCLAMATIONS.**

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## PUBLIC ACTS AND RESOLUTIONS OF CONGRESS

CONTAINED IN THIS VOLUME.

LAWS OF THE SIXTY-SEVENTH CONGRESS OF THE UNITED STATES.

STATUTE I.—1921.

|  | Page |
|--|------|
| <i>Appropriations, expenses of Congress, etc.</i> An Act Making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes. April 18, 1921.....   | 1    |
| <i>"Pageant of Progress," canceling stamp.</i> An Act Providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office. April 30, 1921.....   | 3    |
| <i>Bridge, Mahoning River.</i> An Act Granting the consent of Congress to the Trumbull Steel Company, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio. May 3, 1921.....  | 3    |
| <i>Joint Committee on Reorganization.</i> Joint Resolution To authorize the President of the United States to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization. May 5, 1921.....  | 3    |
| <i>Bridge, Ohio River.</i> An Act Granting the consent of Congress to the Ironton and Russell Bridge Company to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Kentucky. May 6, 1921.....   | 4    |
| <i>Crow Indian Reservation, Mont., irrigation.</i> Joint Resolution Making the sum of \$150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Montana, immediately available. May 6, 1921.....  | 4    |
| <i>Irrigation charges.</i> Joint Resolution To authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the Act of August 13, 1914. May 17, 1921.....                   | 4    |
| <i>Alien immigration limited.</i> An Act To limit the immigration of aliens into the United States. May 19, 1921.....  | 5    |
| <i>Irrigation, North Platte project, Nebr.-Wyo.</i> An Act For the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims. May 20, 1921.....  | 7    |
| <i>Bridge, Potomac River.</i> An Act Granting the consent of Congress to the Washington and Old Dominion Railway, a corporation, to construct a bridge across the Potomac River. May 25, 1921.....   | 7    |
| <i>Washington Monument, D. C.</i> Joint Resolution To Provide funds for the repair of the elevator in the Washington Monument. May 25, 1921.....   | 8    |
| <i>Submarine cables.</i> An Act Relating to the landing and operation of submarine cables in the United States. May 27, 1921.....  | 8    |
| <i>District of Columbia Code, unlawful detainer.</i> An Act To amend the Act entitled "An Act to establish a code of law for the District of Columbia, approved March 3, 1901," and the Acts amendatory thereof and supplementary thereto. May 27, 1921.....   | 9    |
| <i>Emergency tariff, etc.</i> An Act Imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes. May 27, 1921..... | 9    |
| <i>Bridge, Red River of the North.</i> An Act To extend the time for the construction of a bridge across the Red River of the North, at or near the city of Pembina, North Dakota. May 31, 1921..  | 19   |
| <i>Bridge, Willamette Falls canal.</i> An Act Authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock Numbered Four of the canal and locks, Willamette Falls, Clackamas County, Oregon. May 31, 1921.....  | 19   |
| <i>Colorado flood sufferers.</i> Joint Resolution For the relief of sufferers in Colorado from the flood due to the overflow of the Arkansas River and its tributaries. June 8, 1921.....  | 19   |

|  | Page. |
|--|-------|
| <i>Budget and Accounting Act.</i> An Act To provide a national budget system and an independent audit of Government accounts, and for other purposes. June 10, 1921.....   | 20    |
| <i>Public building, Bethlehem, Pa.</i> An Act For the public sale of post-office site on the west side of South Main Street, in the city of Bethlehem, Pennsylvania. June 10, 1921.....  | 27    |
| <i>Telephone companies' consolidation.</i> An Act To amend section 407 of the Transportation Act of 1920. June 10, 1921.....   | 27    |
| <i>Bridge, Des Moines River.</i> An Act For the construction of a bridge across the Des Moines River at or near the city of Dumas, Missouri. June 11, 1921.....  | 28    |
| <i>Foreign financial corporations.</i> An Act To amend the Act approved December 23, 1913, known as the Federal Reserve Act. June 14, 1921.....  | 28    |
| <i>Appropriations, second deficiency, 1921.</i> An Act Making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes. June 16, 1921.....   | 29    |
| <i>Immediate transportation, Fort Worth, Tex.</i> An Act To constitute Fort Worth, in the State of Texas, a port of entry and to extend to said port the privileges of section 7 of an Act approved June 10, 1880, entitled "An Act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes." June 18, 1921..... | 64    |
| <i>Dike, Isthmus Inlet.</i> An Act Granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough on Isthmus Inlet, in section twenty-three, township twenty-six south, range thirteen west, of Willamette meridian in Oregon. June 18, 1921.....  | 65    |
| <i>Bridge, Tug Fork of Big Sandy River.</i> An Act Granting the consent of Congress to the Borderland Coal Corporation to construct a bridge across the Tug Fork of Big Sandy River, in Mingo County, West Virginia. June 21, 1921.....  | 65    |
| <i>Public lands, Converse County, Wyo.</i> An Act Granting certain lands to Converse County, Wyoming, for a public park. June 24, 1921.....  | 65    |
| <i>Public lands, Riverside County, Calif.</i> An Act To exempt from cancellation certain desert-land entries in Riverside County, California. June 24, 1921.....   | 66    |
| <i>North Dakota judicial district, judge.</i> An Act Authorizing the appointment of an additional judge for the district of North Dakota. June 25, 1921.....   | 66    |
| <i>West Virginia southern judicial district, judge.</i> An Act Providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia. June 25, 1921.....  | 67    |
| <i>Peru Centennial.</i> Joint Resolution Creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru. June 25, 1921.....   | 67    |
| <i>Hawaii fisheries.</i> An Act To provide for the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Territory of Hawaii. June 28, 1921.....  | 67    |
| <i>Appropriations, Army.</i> An Act Making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes. June 30, 1921.....   | 68    |
| <i>Destitute discharged soldiers, transportation from abroad.</i> An Act Authorizing the Secretary of War to furnish free transportation and subsistence from Europe and Siberia to the United States for certain destitute discharged soldiers and their wives and children. June 30, 1921.....   | 106   |
| <i>Bridge, Allegheny River.</i> An Act Granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to construct a bridge across the Allegheny River, in the State of Pennsylvania. June 30, 1921.....   | 104   |
| <i>Bridge, Arkansas River.</i> An Act To extend the time for the construction of a bridge across the Arkansas River, in Muskogee County, Oklahoma. June 30, 1921.....  | 104   |
| <i>Bridge, Arkansas River.</i> An Act To extend the time for the construction of a bridge across the Arkansas River at a point near Webbers Falls, in Muskogee County, Oklahoma. June 30, 1921.....  | 104   |
| <i>Pennsylvania-Delaware boundary.</i> Joint Resolution Ratifying the reestablishment of the boundary line between the States of Pennsylvania and Delaware. June 30, 1921.....   | 104   |
| <i>Federal land banks.</i> An Act To amend section 82 of the Act of Congress approved July 17, 1916, known as the Federal Farm Loan Act. July 1, 1921.....   | 106   |
| <i>World War terminated.</i> Joint Resolution Terminating the state of war between the Imperial German Government and the United States of America and between the Imperial and Royal Austro-Hungarian Government and the United States of America. July 2, 1921.....  | 106   |
| <i>Private land claim, Baca Float No. 3.</i> An Act For the relief of settlers and entrymen on Baca Float Numbered Three, in the State of Arizona. July 5, 1921.....   | 107   |
| <i>Hawaiian Homes Commission.</i> An Act To amend an Act entitled "An Act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, to establish an Hawaiian Homes Commission, granting certain powers to the board of harbor commissioners of the Territory of Hawaii and for other purposes. July 9, 1921.....                | 108   |
| <i>Naval appropriations ratified.</i> Joint Resolution Ratifying and confirming from and including July 1, 1921, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1922. July 11, 1921.....   | 121   |
| <i>Appropriations, Navy.</i> An Act Making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes. July 12, 1921.....   | 122   |
| <i>Seward, Alaska, railway building.</i> An Act To provide for the retention by the Government of the property in Seward, Alaska, known as the Alaska Northern Railway office building, and its use for court purposes. July 12, 1921.....   | 141   |
| <i>Dam, Mahoning River.</i> An Act Granting the consent of Congress to the Trumbull Steel Company, its successors and assigns, to construct, maintain, and operate a dam across the Mahoning River in the State of Ohio. July 15, 1921.....  | 141   |

# LIST OF PUBLIC ACTS AND RESOLUTIONS.

vii

Page

|  |     |
|--|-----|
| <i>Vashon Island Reservation, Wash.</i> An Act Providing for the appraisal and sale of the Vashon Island Military Reservation in the State of Washington, and for other purposes. July 15, 1921.....   | 142 |
| <i>Public lands, Phoenix, Ariz.</i> An Act Granting certain public lands to the city of Phoenix, Arizona, for municipal purposes. July 15, 1921.....   | 143 |
| <i>Dam, Wabash River.</i> An Act To authorize the construction of a dam across Wabash River at Huntington, Indiana. July 18, 1921.....   | 143 |
| <i>Postal Service reclassification.</i> An Act To further reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, and for other purposes. July 21, 1921.....  | 144 |
| <i>Philippine Islands, bonds, etc.</i> An Act To amend an Act entitled "An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for these islands," approved August 29, 1916; and to amend an Act entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," approved March 2, 1903. July 21, 1921. | 145 |
| <i>Colorado River extension.</i> —Joint Resolution To change the name of the Grand River in Colorado and Utah to the Colorado River. July 25, 1921.....  | 146 |
| <i>War Risk Bureau accounts.</i> —Joint Resolution Authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases. July 26, 1921.....  | 146 |
| <i>Yazoo River, flood control.</i> An Act Providing for a preliminary examination of the Yazoo River, Mississippi, with a view to the control of its floods. July 29, 1921.....  | 146 |
| <i>Swan Land and Cattle Company, irrigation lands.</i> An Act Providing for an exchange of lands between the Swan Land and Cattle Company and the United States. August 9, 1921.....   | 147 |
| <i>Public lands, Walters, Okla.</i> An Act to quiet title to certain tracts of land in the city of Walters, State of Oklahoma. August 9, 1921.....   | 147 |
| <i>Veterans' Bureau.</i> An Act To establish a Veterans' Bureau and to improve the facilities and service of such bureau, and further to amend and modify the War Risk Insurance Act. August 9, 1921.....  | 147 |
| <i>Pink bollworm of cotton.</i> Joint Resolution For the relief of States in the cotton belt that have given aid to cotton farmers forced from the fields in established nonproduction zones through efforts to eradicate the pink bollworm. August 9, 1921.....   | 153 |
| <i>Portland, Oreg., Exposition.</i> Joint Resolution Authorizing the President to invite foreign nations to take part in an exposition at Portland, Oregon, in 1925. August 10, 1921.....  | 158 |
| <i>Rights of way, North and South Dakota school lands.</i> An Act to Amend an Act approved February 22, 1889, entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States." August 11, 1921.....              | 158 |
| <i>Public lands, abandoned Fort Buford Reservation.</i> An Act To extend the provisions of section 2455, Revised Statutes, to the lands within the abandoned Fort Buford Military Reservation in the States of North Dakota and Montana. August 11, 1921.....  | 159 |
| <i>Farm loan bonds.</i> An Act To amend the Federal Farm Loan Act, as amended. August 13, 1921.  | 159 |
| <i>Packers and Stockyards Act.</i> An Act To regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes. August 15, 1921.....  | 159 |
| <i>Pulp wood commission.</i> Joint Resolution Authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments thereof as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood and paper therefrom to the United States. August 15, 1921.....   | 169 |
| <i>Department of Agriculture, D. C., monument to employees.</i> Joint Resolution Authorizing the erection on public grounds in the city of Washington, District of Columbia, of a memorial to employees of the United States Department of Agriculture who died in the war with Germany. August 15, 1921.....  | 170 |
| <i>Bridge, Roanoke River.</i> An Act To extend the time for the construction of a bridge across the Roanoke River in Halifax County, North Carolina. August 16, 1921.....  | 170 |
| <i>Bridge, Pend d'Oreille River.</i> An Act To authorize the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at the Newport-Priest River Road crossing, Idaho. August 16, 1921.....  | 171 |
| <i>Calaveras River flood control.</i> An Act To make a preliminary survey of the Calaveras River in California with a view to the control of its floods. August 18, 1921.....  | 171 |
| <i>Bridge, Ohio River.</i> An Act Granting the consent of Congress to the Huntington and Ohio Bridge Company to construct, maintain, and operate a highway and street railway bridge across the Ohio River, between the city of Huntington, West Virginia, and a point opposite in the State of Ohio. August 18, 1921.....   | 171 |
| <i>Colorado River, apportionment of water supply.</i> An Act To permit a compact or agreement between the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, respecting the disposition and apportionment of the waters of the Colorado River, and for other purposes. August 19, 1921.....   | 171 |
| <i>Bridge, Mississippi River.</i> An Act To authorize the Secretary of War to release the Kansas City and Memphis Railroad and Bridge Company from reconstructing its highway and approaches across its bridge at Memphis, Tennessee. August 22, 1921.....   | 172 |
| <i>Bridge, Missouri River.</i> An Act Granting the consent of Congress to Old Trail's Bridge Company to construct a bridge across the Missouri River. August 22, 1921.....   | 173 |



|  | Page. |
|--|-------|
| <i>Alien immigration admission.</i> Joint Resolution Permitting the admission of certain aliens who sailed from foreign ports on or before June 8, 1921, and for other purposes. August 22, 1921   | 173   |
| <i>San Juan Island, Wash.</i> An Act Providing for a grant of land to the State of Washington for a biological station and general research purposes. August 23, 1921.....   | 173   |
| <i>Port of New York District.</i> Joint Resolution Granting consent of Congress to an agreement or compact entered into between the State of New York and the State of New Jersey for the creation of the Port of New York District and the establishment of the Port of New York Authority for the comprehensive development of the port of New York. August 23, 1921.....  | 174   |
| <i>Congressional employees, August salaries.</i> Joint Resolution Authorizing the payment of salaries of officers and employees of Congress for August, 1921. August 23, 1921.....   | 180   |
| <i>Agricultural products, relief of producers, etc.</i> An Act To amend the War Finance Corporation Act, approved April 5, 1918, as amended, to provide relief for producers of and dealers in agricultural products, and for other purposes. August 24, 1921.....   | 181   |
| <i>Hawaii, public utilities franchises.</i> An Act Ratifying, confirming, and approving certain acts of the supply of gas, electric light and power, and the construction, maintenance, and operation of a street railway, and for other purposes. August 24, 1921.....  | 185   |
| <i>National forests, grazing fees.</i> An Act To extend the time for payment of grazing fees for the use of national forests during the calendar year 1921. August 24, 1921.....   | 186   |
| <i>"Birmingham semicentennial" canceling stamps.</i> An Act Authorizing and directing the Postmaster General to permit the use of a special canceling stamp at the post office of Birmingham, Alabama, bearing the words "Birmingham semicentennial, October 24 to 29, 1921." August 24, 1921.....   | 186   |
| <i>Public lands, mining claims assessments.</i> An Act Changing the period for doing annual assessment work on unpatented mineral claims from the calendar year to the fiscal year beginning July 1 each year. August 24, 1921.....  | 186   |
| <i>Public lands, Fort Madison and Bellevue, Iowa.</i> An Act For the disposal of certain lands in the town sites of Fort Madison and Bellevue, Iowa. August 24, 1921.....  | 186   |
| <i>Future Trading Act.</i> An Act Taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes. August 24, 1921.....  | 187   |
| <i>Medal of honor, unknown American soldier.</i> An Act Authorizing bestowal upon the unknown unidentified American to be buried in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia, the congressional medal of honor and the distinguished service cross. August 24, 1921.....  | 191   |
| <i>Dye and Chemical Control Act.</i> An Act To control importations of dyes and chemicals. August 24, 1921.....  | 191   |
| <i>Appropriations, urgent deficiencies.</i> An Act Making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1922, and for other purposes. August 24, 1921.....  | 192   |
| <i>Abilene, Tex., memorial building.</i> An Act Granting Parramore Post Numbered Fifty-seven, American Legion, permission to construct a memorial building on the Federal site at Abilene, Texas. August 24, 1921.....   | 199   |
| <i>District of Columbia, rents.</i> An Act To extend for the period of seven months the provisions of Title II of the Food Control and the District of Columbia Rents Act, approved October 22, 1919, and for other purposes. August 24, 1921.....   | 200   |
| <i>District of Columbia, standard loaf of bread.</i> An Act To Amend the Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the Districts of Columbia; and for other purposes," approved March 3, 1921. August 24, 1921.....  | 201   |
| <i>Veterans' Bureau, United States, name adopted.</i> Joint Resolution Changing the name of the Veterans' Bureau to "United States Veterans' Bureau." August 24, 1921.....   | 202   |
| <i>Army, Camp Eustis, Va.</i> Joint Resolution To repeal so much of the Act of Congress approved February 28, 1920, as provides for the sale of Camp Eustis, Virginia. August 24, 1921.....  | 202   |
| <i>"Visit the Dunes," canceling stamp.</i> An Act Providing for "Visit the Dunes, Michigan City," canceling stamp to be used by Michigan City, Indiana, post office. October 5, 1921.....  | 202   |
| <i>"Public Health Exposition," canceling stamp.</i> An Act To permit the use in the post office at Cincinnati, Ohio, of special canceling stamps bearing the words "Public Health Exposition, Cincinnati, Ohio, October 15 to 22, 1921." October 5, 1921.....  | 203   |
| <i>Grand Army encampment.</i> Joint Resolution To authorize the loan by the Secretary of War to the commander in chief of the Grand Army of the Republic of cots for the use of the members of the Grand Army of the Republic during the sessions of the grand encampment of the Grand Army of the Republic at Indianapolis, Indiana, from September 24 to October 1, 1921. October 12, 1921.....                            | 203   |
| <i>Confederate Veterans encampment.</i> Joint Resolution To authorize the loan by the Secretary of War to the commander in chief of the United Confederate Veterans of cots and tents for the use of the members of the United Confederate Veterans during the sessions of the national encampment of the United Confederate Veterans at Chattanooga, Tennessee, from October 24, to October 27, 1921. October 12, 1921..... | 203   |
| <i>Medal of honor, unknown Italian soldier.</i> Joint Resolution For the bestowal of the congressional medal of honor upon an unknown, unidentified Italian soldier to be buried in the National Monument to Victor Emanuel II, in Rome, Italy. October 12, 1921.....  | 203   |
| <i>Bridge, Sulphur River.</i> An Act Granting the consent of Congress to the counties of Bowie and Cass, State of Texas, for construction of a bridge across Sulphur River, at or near Pettis Bridge on State Highway Numbered Eight, in said counties and State. October 13, 1921.....  | 204   |

# LIST OF PUBLIC ACTS AND RESOLUTIONS.

ix

|  | Page. |
|--|-------|
| <i>Bridge, Saint Marys River.</i> An Act To authorize the construction of a bridge across the Saint Marys River, at or near Saint Marys, Georgia, and Roses Bluff, Florida. October 13, 1921...  | 204   |
| <i>Bridge, Saint Marys River.</i> An Act To authorize the construction of a bridge across the Saint Marys River, at or near Wilds Landing Ferry, between Camden County, Georgia, and Nassau County, Florida. October 13, 1921.....   | 204   |
| <i>Tobacco, etc., to hospitals for soldiers, etc.</i> An Act Authorizing the distribution of abandoned or forfeited tobacco, snuff, cigars, or cigarettes to hospitals maintained by the United States for the use of present or former members of the military or naval forces of the United States. October 14, 1921.....  | 205   |
| <i>Bridge, Rio Grande.</i> An Act To extend the time for the construction of a bridge across the Rio Grande, within or near the city limits of El Paso, Texas. October 15, 1921.....   | 205   |
| <i>Bridge, Cumberland River.</i> An Act To extend the time for the construction of a bridge across the Cumberland River in Montgomery County, Tennessee. October 15, 1921.....   | 205   |
| <i>Public building, Jefferson City, Mo.</i> An Act Authorizing the Secretary of the Treasury to convey certain lands to the State of Missouri for enlargement of the State Capitol grounds of that State. October 17, 1921.....  | 206   |
| <i>"International Aero Congress," canceling stamp.</i> An Act Providing for an International Aero Congress cancellation stamp to be used by the Omaha post office. October 20, 1921.....   | 207   |
| <i>Unknown American soldier, expenses of burial ceremonies.</i> Joint Resolution Authorizing the Secretary of War to expend from the appropriation "Disposition of remains of officers, soldiers, and civilian employees, 1922" (Act of March 4, 1921, Public, Numbered 389, Sixty-sixth Congress), such sum as may be necessary to carry out the provisions of public resolution numbered 67, Sixty-sixth Congress. October 21, 1921..... | 207   |
| <i>Midshipmen, readmissions.</i> An Act Providing for the readmission of certain deficient midshipmen to the United States Naval Academy. October 22, 1921.....  | 207   |
| <i>Public lands, registers and receivers consolidated.</i> An Act For the consolidation of the offices of register and receiver in district land offices in certain cases, and for other purposes. October 28, 1921.....   | 208   |
| <i>Indian affairs, expenditures on.</i> An Act Authorizing appropriations and expenditures for the administration of Indian affairs, and for other purposes. November 2, 1921.....   | 208   |
| <i>Rio de Janeiro Exposition.</i> Joint Resolution Accepting the invitation of the Republic of Brazil to take part in an international exposition to be held in Rio de Janeiro in 1922. November 2, 1921.....  | 209   |
| <i>Armistice Day 1921, holiday.</i> Joint Resolution To declare November 11, 1921, a legal public holiday. November 4, 1921.....   | 211   |
| <i>Public building, Plainfield, N. J.</i> An Act Granting permission to the city of Plainfield, New Jersey, to widen Watchung Avenue in front of the Federal post-office building, and for other purposes. November 5, 1921.....   | 211   |
| <i>Federal Highway Act.</i> An Act To amend the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes. November 9, 1921.....   | 212   |
| <i>Bridge, Pearl River.</i> An Act To authorize the construction of a bridge across Pearl River, between Meeks Ferry and Grigsbys Ferry and between Madison County, Mississippi, and Rankin County, Mississippi. November 14, 1921.....  | 219   |
| <i>Bridges, Charles River.</i> An Act To authorize the construction of drawless bridges across a certain portion of the Charles River in the State of Massachusetts. November 14, 1921.....  | 219   |
| <i>Bridge, Choctawhatchee River.</i> An Act To extend the time for the construction of a bridge across the Choctawhatchee River, near Caryville, Florida. November 14, 1921.....   | 220   |
| <i>Emergency tariff extended.</i> An Act To extend the Tariff Act approved May 27, 1921. November 16, 1921.....  | 220   |
| <i>Statutes of limitations, United States courts.</i> An Act To amend section 1044 of the Revised Statutes of the United States relating to limitations in criminal cases. November 17, 1921.....  | 220   |
| <i>National forests, grazing fees.</i> Joint Resolution To provide that deferred grazing fees received prior to December 31, 1921, shall be considered as receipts of the fiscal year 1921. November 17, 1921.....   | 220   |
| <i>Alaska railroad.</i> An Act To amend an Act entitled "An Act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, as amended. November 18, 1921.....   | 221   |
| <i>Chalmette plains park.</i> An Act In reference to a national military park on the plains of Chalmette, below the city of New Orleans. November 19, 1921.....  | 221   |
| <i>Chippewa Indians, Minn.</i> An Act Authorizing a per capita payment to the Chippewa Indians of Minnesota from their tribal funds held in trust by the United States. November 19, 1921.   | 221   |
| <i>National Prohibition Act supplement.</i> An Act Supplemental to the National Prohibition Act. November 23, 1921.....  | 222   |
| <i>Maternity and infancy hygiene.</i> An Act For the promotion of the welfare and hygiene of maternity and infancy, and for other purposes. November 23, 1921.....   | 224   |
| <i>Revenue Act of 1921.</i> An Act To reduce and equalize taxation, to provide revenue, and for other purposes. November 23, 1921.....   | 227   |
| <i>War contracts for minerals, etc.</i> An Act To amend section 5 of the Act approved March 2, 1919, entitled "An Act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes." November 23, 1921.....   | 322   |

|   | Page. |
|---|-------|
| <i>Bridge, Great Peedee River.</i> An Act To construct, maintain, and operate a bridge and approaches thereto across Great Peedee River, South Carolina. November 23, 1921.....   | 322   |
| <i>Bridge, Savannah River.</i> An Act Authorizing the counties of Allendale, South Carolina, and Screven, Georgia, to construct a bridge across the Savannah River, between said counties, at or near Burtons Ferry. November 23, 1921..... | 322   |
| <i>Bridge, White River.</i> An Act To extend the time for constructing a bridge across the White River at or near the town of Des Arc, Arkansas. November 23, 1921.....   | 323   |
| <i>Bridge, White River.</i> An Act To authorize the construction of a bridge across the White River, in Prairie County, Arkansas. November 23, 1921.....  | 323   |
| <i>United States courts, revivor.</i> An Act To amend section 955 of the Revised Statutes by extending the jurisdiction of courts in cases of revivor. November 23, 1921.....   | 323   |
| <i>Bridge, Tombigbee River.</i> An Act To extend the time for the construction of a bridge across the Tombigbee River at or near Ironwood Bluff, in the county of Itawamba, Mississippi. November 23, 1921.....                             | 324   |
| <i>District of Columbia, Gonzaga College.</i> An Act To amend section 1 of an Act entitled "An Act to incorporate Gonzaga College, in the city of Washington and District of Columbia." November 23, 1921.....                              | 324   |
| <i>Bridge, Rock River.</i> An Act Granting the consent of Congress to the board of supervisors of Whiteside County, Illinois, to construct a bridge across Rock River. November 23, 1921.....   | 325   |
| <i>Bridge, Grand Calumet River.</i> An Act To authorize the New York Central Railroad Company to construct a bridge across the Grand Calumet River within the corporate limits of the town of Gary, Indiana. November 23, 1921.....         | 325   |
| <i>Congressional employees, November salaries.</i> Joint Resolution Authorizing payment of the salaries of officers and employees of Congress for November, 1921, on the twenty-third day of said month. November 23, 1921.....             | 325   |
| <i>Chinese refugees from Mexico.</i> Joint Resolution Permitting certain Chinese to register under certain provisions and conditions. November 23, 1921.....  | 325   |
| <i>Volunteer Soldiers' Home, Manager.</i> Joint Resolution For the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers. November 23, 1921.....  | 326   |

# PUBLIC LAWS OF THE SIXTY-SEVENTH CONGRESS

## OF THE UNITED STATES.

*Passed at the first session, which was begun and held at the city of Washington, in the District of Columbia, on Monday, the eleventh day of April, 1921, and was adjourned without day on Wednesday, the twenty-third day of November, 1921.*

WARREN G. HARDING, President; CALVIN COOLIDGE, Vice President; ALBERT B. CUMMINS, President of the Senate *pro tempore*; CHARLES CURTIS, Acting President of the Senate *pro tempore*, July 7, 8, and 22, August 5, 11, 22 to 24, September 23, 1921; IRVINE L. LENROOT, Acting President of the Senate *pro tempore*, August 9 and 16, 1921; JAMES W. WADSWORTH, jr., Acting President of the Senate *pro tempore*, August 10, 1921; REED SMOOT, Acting President of the Senate *pro tempore*, August 15, 1921; CHARLES L. McNARY, Acting President of the Senate *pro tempore*, August 19 and 20, 1921; FRANK B. BRANDEGEE, Acting President of the Senate *pro tempore*, September 24, 1921; FREDERICK H. GILLETT, Speaker of the House of Representatives; HORACE M. TOWNER, Speaker of the House of Representatives *pro tempore*, May 25, July 1 and 2, 1921; JOSEPH WALSH, Speaker of the House of Representatives *pro tempore*, June 20 and 22, October 28 to 31, November 19 and 23, 1921.

**CHAP. 1.**—An Act Making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes.

April 18, 1921.  
[H. R. 3707.]  
[Public, No. 1.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, namely:

### LEGISLATIVE.

#### SENATE.

For mileage of Senators, \$51,000.

For annual compensation of a clerk \$2,500, assistant clerk \$1,600, assistant clerk \$1,500, and an additional clerk \$1,200, from April 16, 1921, to June 30, 1922, both dates inclusive, for each of the following committees: Civil Service, Enrolled Bills, Expenditures in the Executive Departments, Irrigation and Reclamation, Library, Mines and Mining, Patents, Revision of the Laws, and Territories and Insular Possessions, \$73,949.94.

The appropriations for the fiscal years 1921 and 1922 for a clerk and three assistant clerks for the Committee on Public Lands is hereby made available for payment at the same compensations for a clerk and three assistant clerks to the Committee on Public Lands and Surveys.

The unexpended part of the appropriations for the fiscal year 1921 and the appropriations for the fiscal year 1922 for clerks and assistant clerks to the Committees on Pacific Islands and Porto Rico, Pacific Islands, Porto Rico, and the Virgin Islands, and the Philippines is hereby repealed.

That part of the appropriations for the fiscal years 1921 and 1922 for "clerical assistance to Senators," except the appropriations for compiling the Navy Yearbook, is hereby amended to read as follows: "Clerical assistance to Senators: For clerical assistance to Senators who are not chairmen of the committees specifically provided for herein: Seventy clerks at \$2,500 each; seventy assistant clerks at \$1,600 each; seventy assistant clerks at \$1,500 each, \$392,000.

Appropriations for expenses, first session, Sixty-seventh Congress, etc.

Legislative.

Senate.

Mileage.

Clerks for designated committees.

Committee on Public Lands and Surveys. Appropriations available for clerks to. Vol. 41, pp. 632, 1253.

Provisions for clerks to designated committees repealed. Vol. 41, pp. 632, 1253.

Clerical assistance to Senators reduced. Vol. 41, pp. 632, 1253, amended.

|   |  |
|---|--|
| Additional clerks.                                  | "Eighty-four additional clerks at \$1,200 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman, \$100,800."  |
| George Curry.<br>Services.                          | To enable the Secretary of the Senate to pay from the appropriation for "Salaries of officers, clerks, messengers, and others," fiscal year 1921, to George Curry for services rendered as clerk to the Honorable H. O. Bursum, Senator from the State of New Mexico, at the rate of \$2,500 per annum, from March 12, 1921, to April 10, 1921, both dates inclusive.            |
| Edith Shipman.<br>Services.                         | To enable the Secretary of the Senate to pay from the appropriation for "Salaries of officers, clerks, messengers, and others," fiscal year, 1921, to Edith Shipman for services rendered as assistant clerk to the Honorable H. O. Bursum, Senator from the State of New Mexico, at the rate of \$1,600 per annum from March 12, 1921, to April 10, 1921, both dates inclusive. |
| Laborer in station-<br>ery room.<br>Additional pay. | To enable the Secretary of the Senate to pay from the appropriation "For compensation of officers, clerks, messengers and others," fiscal year 1922, to the laborer in stationery room, office of the Secretary of the Senate, a sum sufficient to make the compensation \$1,200 per annum.  |
| Stationery.   | For stationery for Senators, committees, and officers of the Senate, fiscal year, 1921, \$5,000.   |
| Assistant financial<br>clerk.<br>Additional pay.    | To enable the Secretary of the Senate to pay from the appropriation "For compensation of officers, clerks, messengers, and others," for the fiscal years 1921 and 1922, to the assistant financial clerk in the office of the Secretary of the Senate, a sum sufficient to make the salary of the position \$3,600 per annum.  |
| Pages.  | For sixteen pages for the Senate Chamber at the rate of \$2.50 per day each, from April 11, 1921, to June 30, 1921, \$3,240.<br>For sixteen pages for the Senate Chamber at the rate of \$2.50 per day each, from July 1, 1921, until the end of the first session of the Sixty-seventh Congress, so much as may be necessary.   |

House of Represen-  
tatives.

## HOUSE OF REPRESENTATIVES.

|   |  |
|---|--|
| Mileage.                                | For mileage of Representatives and Delegates and expenses of Resident Commissioners, \$175,000.  |
| Stationery.                             | For stationery for Members and Delegates and Resident Commissioners, at \$125 each, \$55,000.  |
| Pages.                                  | For forty-two pages, including two riding pages, one press gallery page, and ten pages for duty at the entrances to the Hall of the House, at \$2.50 per day each, and three telephone operators, at the rate of \$75 per month each, during the first session of the Sixty-seventh Congress, so much as may be necessary is appropriated.   |
| Telephone pages.<br>Increased pay.      | For the amount required to increase the compensation of two telephone pages from \$2.50 per day each to the rate of \$1,200 per annum each from March 4, to March 31, 1921, inclusive, in accordance with House Resolution Numbered 615 of the Sixty-sixth Congress, and for the compensation of such pages at the rate of \$1,200 each per annum from April 1, 1921, to June 30, 1922, inclusive, in lieu of the two telephone pages at \$2.50 per day each provided in the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1922, \$3,040. |
| Vol. 41, p. 1267.                       |  |
| Special employees,<br>etc.              | For the amount required from March 4, 1921, to June 30, 1922, inclusive, to carry out House resolutions numbered 395 and 686 of the Sixty-sixth Congress, \$2,517.50.<br>For the amount required from March 4 to June 30, 1921, inclusive, to carry out House resolutions numbered 487, 492, 508, and 514 of the Sixty-sixth Congress, \$1,118.  |
| Special messenger.<br>Vol. 41, p. 1267. | For amount required for a special messenger at \$1,800 per annum from April 11, 1921, to June 30, 1922, inclusive, in accordance with  |

House resolution numbered 7, of the Sixty-seventh Congress, \$2,200; such special messenger to be in lieu of an assistant messenger in charge of telephones for the minority at the rate of \$1,500 per annum.

For payment to James Wickersham for expenses incurred as contestant in the contested-election case of James Wickersham versus Charles A. Sulzer, deceased, and George B. Grigsby, audited and recommended by the Committee on Elections Numbered Three, Sixty-sixth Congress, \$2,000.

James Wickersham.  
Contested election  
expenses.

## DISTRICT OF COLUMBIA.

District of Columbia.

### WATER DEPARTMENT.

Water Department.

Washington Aqueduct: For operation, including salaries of all necessary employees, maintenance and repair of Washington Aqueduct and its accessories, McMillan Park Reservoir, Washington Aqueduct Tunnel, the filtration plant, the plant for the preliminary treatment of the water supply, authorized water meters on Federal services, vehicles, and for each and every purpose connected therewith, fiscal year 1921, \$35,000, to be paid from the revenues of the water department.

Maintenance of  
Washington Aque-  
duct, etc.

From water reve-  
nues.

Approved, April 18, 1921.

**CHAP. 2.**—An Act Providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office.

April 30, 1921.  
[H. R. 2185.]  
[Public, No. 2.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby, authorized and directed to permit the use in the Chicago post office of special canceling stamps bearing the following words and figures: "Pageant of Progress Exposition, Chicago, July 30 to August 14, 1921."

Postal service.  
Special canceling  
stamp permitted for  
"Pageant of Progress  
Exposition," Chicago,  
Ill.

Approved, April 30, 1921.

**CHAP. 3.**—An Act Granting the consent of Congress to the Trumbull Steel Company, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

May 3, 1921.  
[S. J. Res. 407.]  
[Public, No. 3.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Trumbull Steel Company and its successors and assigns, to construct, maintain, and operate, at a point suitable to the interests of navigation, a bridge and approaches thereto across the Mahoning River, near the city of Warren, in the county of Trumbull, in the State of Ohio, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Mahoning River.  
Trumbull Steel Com-  
pany may bridge,  
Warren, Ohio.

Construction.  
Vol. 34, p. 84.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 3, 1921.

**CHAP. 4.**—Joint Resolution To authorize the President of the United States to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization.

May 5, 1921.  
[S. J. Res. 30.]  
[Pub. Res. No. 1.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization,

Joint Committee on  
Reorganization.  
Representative of  
the Executive author-  
ized for.

Vol. 41, p. 1083.

Salary.

created under the joint resolution of December 17, 1920, entitled a "Joint resolution to create a Joint Committee on the Reorganization of the Administrative Branch of the Government," who shall receive an annual salary of \$7,500, payable monthly, such salary to be paid in equal parts from the contingent funds of the Senate and House of Representatives as from time to time may be duly authorized by resolutions of those bodies.

Approved, May 5, 1921.

May 6, 1921.  
[H. R. 3152.]  
[Public, No. 4.]

**CHAP. 5.**—An Act Granting the consent of Congress to the Ironton and Russell Bridge Company to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Kentucky.

Ohio River.  
Ironton and Russell  
Bridge Company may  
bridge, Ironton, Ohio.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Ironton and Russell Bridge Company and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation, at or near the city of Ironton, Ohio, in the county of Lawrence, in the State of Ohio, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Construction.  
Vol. 34, p. 84.

Amendment.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 6, 1921.

May 6, 1921.  
[S. J. Res. 20.]  
[Pub. Res., No. 2.]

**CHAP. 6.**—Joint Resolution Making the sum of \$150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Montana, immediately available.

Crow Indian Reser-  
vation, Mont.  
Appropriation for di-  
version dam, Big Horn  
River, immediately  
available.  
Vol. 41, p. 1237.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of \$150,000 appropriated by the Indian Appropriation Act, approved March 3, 1921 (Public Numbered 359, Sixty-sixth Congress, third session), for the construction of a diversion dam on the Big Horn River, Crow Indian Reservation, Montana, be, and the same is hereby, made immediately available for the construction of said dam.

Approved, May 6, 1921.

May 17, 1921.  
[H. J. Res. 52.]  
[Pub. Res., No. 3.]

**CHAP. 7.**—Joint Resolution To authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the Act of August 13, 1914.

Reclamation Service.  
Water may be fur-  
nished in 1921 to per-  
sons in arrears for  
charges, etc.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in view of the financial stringency and the low price of agricultural products, the Secretary of the Interior is hereby authorized, in his discretion, after due investigation, to furnish irrigation water on the Federal irrigation projects during the irrigation season of 1921 to water-right applicants or entrymen who are in arrears for more than one calendar year for the payment of any charge for operation and maintenance, or any construction charges and penalties, notwithstanding the provisions of section 6 of the Act of August 13, 1914 (Thirty-eighth Statutes, page 686): *Provided,* That nothing herein shall be construed to relieve any beneficiary hereunder from payments due or penalties thereon required by said Act.

Vol. 38, p. 686.

*Proviso.*  
No charges, etc., re-  
mitted.

Approved, May 17, 1921.

CHAP. 8.—An Act To limit the immigration of aliens into the United States.

May 19, 1921.  
[H. R. 4075.]  
[Public, No. 5.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—*

The term "United States" means the United States, and any waters, territory, or other place subject to the jurisdiction thereof except the Canal Zone and the Philippine Islands; but if any alien leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

Immigration of aliens.  
"United States" construed.  
Canal Zone and insular restriction.

The word "alien" includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

"Alien" defined.

The term "Immigration Act" means the Act of February 5, 1917, entitled "An Act to regulate the immigration of aliens to, and the residence of aliens in, the United States"; and the term "immigration laws" includes such Act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens.

"Immigration Act."  
Vol. 39, pp. 874-898.

"Immigration laws."  
Comprehensive meaning.

SEC. 2. (a) That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per centum of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910. This provision shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this Act: (1) Government officials, their families, attendants, servants, and employees; (2) aliens in continuous transit through the United States; (3) aliens lawfully admitted to the United States who later go in transit from one part of the United States to another through foreign contiguous territory; (4) aliens visiting the United States as tourists or temporarily for business or pleasure; (5) aliens from countries immigration from which is regulated in accordance with treaties or agreements relating solely to immigration; (6) aliens from the so-called Asiatic barred zone, as described in section 3 of the Immigration Act; (7) aliens who have resided continuously for at least one year immediately preceding the time of their admission to the United States in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands; or (8) aliens under the age of eighteen who are children of citizens of the United States.

Yearly admissions limited to 3 per cent of residents of same nationality.

Persons excepted from percentage limits.

Vol. 39, p. 876.  
Residents of contiguous countries, etc.

Minor children of residents.

Country of birth to determine nationality.

(b) For the purposes of this Act nationality shall be determined by country of birth, treating as separate countries the colonies or dependencies for which separate enumeration was made in the United States census of 1910.

Statement of various nationalities of residents in 1910, to be prepared.

(c) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the enactment of this Act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this Act. In case of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting (1) in the creation of new countries, the Governments of which are recognized by the United States, or (2) in the transfer of territory from one country to another, such transfer being recognized by the United States, such officials, jointly, shall estimate the number of persons resident in the United States in 1910 who were

Estimate for newly created countries, or transferred territories.



Place of birth to be considered therefrom.

Exclusion of others after maximum of nationality admitted.

Proviso. Monthly limitation of admission.

Classes excepted notwithstanding maximum of nationality have been admitted.

To be counted in percentage limits.

Preference to families, etc., of citizens.

Of applicants for citizenship.

Persons eligible by war service to be naturalized.  
Vol. 41, p. 222.

Rules, etc., to be prescribed.

Statement of number of admissibles to be published.

For ensuing year.

Monthly statements of admission, etc.

Weekly statements when 75 per cent of maximum have been admitted.

Dissemination of statements.

Transmittal to American representatives abroad.

born within the area included in such new countries or in such territory so transferred, and revise the population basis as to each country involved in such change of political boundary. For the purpose of such revision and for the purposes of this Act generally aliens born in the area included in any such new country shall be considered as having been born in such country, and aliens born in any territory so transferred shall be considered as having been born in the country to which such territory was transferred.

(d) When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this Act shall have been admitted all other aliens of such nationality, except as otherwise provided in this Act, who may apply for admission during the same fiscal year shall be excluded: *Provided*, That the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per centum of the total number of aliens of such nationality who are admissible in that fiscal year: *Provided further*, That aliens returning from a temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, aliens belonging to any recognized learned profession, or aliens employed as domestic servants, may, if otherwise admissible, be admitted notwithstanding the maximum number of aliens of the same nationality admissible in the same month or fiscal year, as the case may be, shall have entered the United States; but aliens of the classes included in this proviso who enter the United States before such maximum number shall have entered shall (unless excluded by subdivision (a) from being counted) be counted in reckoning the percentage limits provided in this Act: *Provided further*, That in the enforcement of this Act preference shall be given so far as possible to the wives, parents, brothers, sisters, children under eighteen years of age, and fiancées, (1) of citizens of the United States, (2) of aliens now in the United States who have applied for citizenship in the manner provided by law, or (3) of persons eligible to United States citizenship who served in the military or naval forces of the United States at any time between April 6, 1917, and November 11, 1918, both dates inclusive, and have been separated from such forces under honorable conditions.

SEC. 3. That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall, as soon as feasible after the enactment of this Act, and from time to time thereafter, prescribe rules and regulations necessary to carry the provisions of this Act into effect. He shall, as soon as feasible after the enactment of this Act, publish a statement showing the number of aliens of the various nationalities who may be admitted to the United States between the date this Act becomes effective and the end of the current fiscal year, and on June 30 thereafter he shall publish a statement showing the number of aliens of the various nationalities who may be admitted during the ensuing fiscal year. He shall also publish monthly statements during the time this Act remains in force showing the number of aliens of each nationality already admitted during the then current fiscal year and the number who may be admitted under the provisions of this Act during the remainder of such year, but when 75 per centum of the maximum number of any nationality admissible during the fiscal year shall have been admitted such statements shall be issued weekly thereafter. All statements shall be made available for general publication and shall be mailed to all transportation companies bringing aliens to the United States who shall request the same and shall file with the Department of Labor the address to which such statements shall be sent. The Secretary of Labor shall also submit such statements to the Secretary of State, who shall transmit the informa-

tion contained therein to the proper diplomatic and consular officials of the United States, which officials shall make the same available to persons intending to emigrate to the United States and to others who may apply.

Sec. 4. That the provisions of this Act are in addition to and not in substitution for the provisions of the immigration laws.

Sec. 5. That this Act shall take effect and be enforced 15 days after its enactment (except sections 1 and 3 and subdivisions (b) and (c) of section 2, which shall take effect immediately upon the enactment of this Act), and shall continue in force until June 30, 1922, and the number of aliens of any nationality who may be admitted during the remaining period of the current fiscal year, from the date when this Act becomes effective to June 30, shall be limited in proportion to the number admissible during the fiscal year 1922.

Approved, May 19, 1921.

Provisions additional to immigration laws.

Effective dates. In force until June 30, 1922.

Admission allowed to June 30, 1921.

CHAP. 9.—An Act For the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims.

May 20, 1921.

[S. 504.]

[Public, No. 6.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the ex-service men qualified to make entry under the homestead laws, who were successful at the drawing held March 5, 1920, for farm units on the North Platte irrigation project, Fort Laramie unit, Nebraska-Wyoming, and to whom approved water-rental applications were duly issued, but who were prevented from making homestead entries for the lands covered by such applications because of the reinstatement of certain conflicting homestead entries, shall each have a preferred right of entry under the homestead laws at the next opening of lands under said project, for not less than thirty days before the date set for the opening of such lands to other entry: *Provided*, That this Act shall not be considered as entitling any person to make another homestead entry who shall have received the benefits of the homestead laws since being prevented, as aforesaid, from exercising the right acquired at the said drawing on March 5, 1920.

North Platte Irrigation Project, Nebr., Wyo.

Ex-service men, prevented by intervening claims, to have preference homestead entry rights at next opening under.

Proviso. Condition.

Approved, May 20, 1921.

CHAP. 10.—An Act Granting the consent of Congress to the Washington and Old Dominion Railway, a corporation, to construct a bridge across the Potomac River.

May 25, 1921.

[S. 1479.]

[Public, No. 7.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Washington and Old Dominion Railway, a corporation organized under the laws of the State of Virginia, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Potomac River at a point suitable to the interests of navigation, at or near Point of Rocks, in the county of Frederick, in the State of Maryland, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Potomac River. Washington and Old Dominion Railway may bridge, Point of Rocks, Md.

Construction. Vol. 34, p. 84.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 25, 1921.

May 25, 1921.  
[H. J. Res. 123.]  
[Pub. Res., No. 4.]

Washington Monu-  
ment, D. C.  
Sum immediately  
available.  
Vol. 41, p. 1390.  
Appropriation for  
elevator repairs, etc.

**CHAP. 11.**—Joint Resolution To provide funds for the repair of the elevator in the Washington Monument.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of \$900 of the appropriation for the fiscal year 1922 for care and maintenance of the Washington Monument is hereby made immediately available, and for special repairs to the elevator and other mechanical equipment of the Monument, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, to continue available until June 30, 1922.

Approved, May 25, 1921.

May 27, 1921.  
[S. 535.]  
[Public, No. 8.]

Submarine cables.  
Landing or operat-  
ing, connecting with a  
foreign country forbid-  
den, unless licensed.

*Proviso.*  
Present unlicensed  
cables may continue  
for 90 days.

Wholly within con-  
tinental United States  
not affected.

Withholding or re-  
voking licenses au-  
thorized.  
Conditions.

*Proviso.*  
No exclusive rights  
to licensees.

Control of Interstate  
Commerce Commis-  
sion over messages not  
impaired.  
Vol. 41, p. 474.

Prevention of illegal  
landing.  
Jurisdiction of Fed-  
eral courts to enjoin.

Punishment for vi-  
olations.

"United States."  
Comprehensive  
meaning of term.

**CHAP. 12.**—An Act Relating to the landing and operation of submarine cables in the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no person shall land or operate in the United States any submarine cable directly or indirectly connecting the United States with any foreign country, or connecting one portion of the United States with any other portion thereof, unless a written license to land or operate such cable has been issued by the President of the United States: *Provided*, That any such cable now laid within the United States without a license granted by the President may continue to operate without such license for a period of ninety days from the date this Act takes effect: *And provided further*, That the conditions of this Act shall not apply to cables, all of which, including both terminals, lie wholly within the continental United States.

**SEC. 2.** That the President may withhold or revoke such license when he shall be satisfied after due notice and hearing that such action will assist in securing rights for the landing or operation of cables in foreign countries, or in maintaining the rights or interests of the United States or of its citizens in foreign countries, or will promote the security of the United States, or may grant such license upon such terms as shall be necessary to assure just and reasonable rates and service in the operation and use of cables so licensed: *Provided*, That the license shall not contain terms or conditions granting to the licensee exclusive rights of landing or of operation in the United States: *And provided further*, That nothing herein contained shall be construed to limit the power and jurisdiction heretofore granted the Interstate Commerce Commission with respect to the transmission of messages.

**SEC. 3.** That the President is empowered to prevent the landing of any cable about to be landed in violation of this Act. When any such cable is about to be or is landed or is being operated, without a license, any district court of the United States exercising jurisdiction in the district in which such cable is about to be or is landed, or any district court of the United States having jurisdiction of the parties, shall have jurisdiction, at the suit of the United States, to enjoin the landing or operation of such cable or to compel, by injunction, the removal thereof.

**SEC. 4.** That whoever knowingly commits, instigates, or assists in any act forbidden by section 1 of this Act shall be guilty of a misdemeanor and shall be fined not more than \$5,000, or imprisoned for not more than one year, or both.

**SEC. 5.** That the term "United States" as used in this Act includes the Canal Zone, the Philippine Islands, and all territory, continental or insular, subject to the jurisdiction of the United States of America.

SEC. 6. That no right shall accrue to any Government, person, or corporation under the terms of this Act that may not be rescinded, changed, modified, or amended by the Congress. Right to rescind,  
etc., declared.

Approved, May 27, 1921.

CHAP. 13.—An Act To amend the Act entitled "An Act to establish a code of law for the District of Columbia, approved March 3, 1901," and the Acts amendatory thereof and supplementary thereto.

May 27, 1921.  
[H. R. 4586.]  
[Public, No. 9.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act to establish a code of law for the District of Columbia, approved March 3, 1901, and the Acts amendatory thereof and supplementary thereto, constituting the code of law for the District of Columbia, be, and the same are hereby, amended as follows:

District of Columbia  
Code.  
Vol. 33, p. 554,  
amended.

Strike out section 833a and insert in lieu thereof:

"SEC. 833a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to defraud, sells, conveys, conceals, or aids in concealing the same, or removes the same from the District of Columbia without the consent of the vendor, before performance of the conditions precedent to acquiring the title thereto, shall be punished by a fine of not more than \$100, or by imprisonment for not more than ninety days." Fraudulent disposal  
of conditionally ac-  
quired personal prop-  
erty.

Punishment modi-  
fied.

Approved, May 27, 1921.

CHAP. 14.—An Act Imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

May 27, 1921.  
[H. R. 2435.]  
[Public, No. 10.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## TITLE I.

### EMERGENCY TARIFF.

That on and after the day following the passage of this Act, for the period of six months, there shall be levied, collected, and paid upon the following articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duty which are prescribed by this section, namely:

1. Wheat, 35 cents per bushel.
2. Wheat flour and semolina, 20 per centum ad valorem.
3. Flaxseed, 30 cents per bushel of fifty-six pounds.
4. Corn or maize, 15 cents per bushel of fifty-six pounds.
5. Beans, provided for in paragraph 197 of the Act entitled "An Act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, 2 cents per pound.
6. Peanuts or ground beans, 3 cents per pound.
7. Potatoes, 25 cents per bushel of sixty pounds.
8. Onions, 40 cents per bushel of fifty-seven pounds.
9. Rice, cleaned, 2 cents per pound, except rice cleaned for use in the manufacture of canned foods, on which the rate of duty shall be 1 cent per pound; uncleaned rice, or rice free of the outer hull and

Emergency Tariff  
Act.  
Post, p. 220.  
Duties levied for six  
months on designated  
imports.

Possessions except-  
ed.

Wheat.  
Wheat flour and  
semolina.  
Flaxseed.  
Corn.  
Beans.  
Vol. 38, p. 133.

Peanuts.  
Potatoes.  
Onions.  
Rice.

|  |   |
|--|---|
| Flour, meal, and broken.   | still having the inner cuticle on, 1½ cents per pound; rice flour, and rice meal, and rice broken which will pass through a number twelve wire sieve of a kind prescribed by the Secretary of the Treasury, one-fourth of 1 cent per pound; paddy, or rice having the outer hull on, three-fourths of 1 cent per pound.   |
| Paddy.   |   |
| Lemons.  | 10. Lemons, 2 cents per pound.  |
| Oils; Peanut, cottonseed, coconut, soya bean, and olive.                                 | 11. Oils: Peanut, 26 cents per gallon; cottonseed, coconut, and soya bean, 20 cents per gallon; olive, 40 cents per gallon in bulk, 50 cents per gallon in containers of less than five gallons.  |
| Cattle.  | 12. Cattle, 30 per centum ad valorem.   |
| Sheep.   | 13. Sheep: One year old or over, \$2 per head; less than one year old, \$1 per head.  |
| Meats.   | 14. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per centum ad valorem.  |
| Breeding live stock admitted free.   | 15. Cattle and sheep and other stock imported for breeding purposes shall be admitted free of duty.   |
| Long staple cotton.  | 16. Cotton having a staple of one and three-eighths inches or more in length, 7 cents per pound.  |
| Manufactures thereof. Additional to present rates. Vol. 33, p. 138. Wool, except carpet. | 17. Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.  |
| Rates. Classification defined.   | 18. Wool, commonly known as clothing wool, including hair of the camel, angora goat, and alpaca, but not such wools as are commonly known as carpet wools: Unwashed, 15 cents per pound; washed, 30 cents per pound; scoured, 45 cents per pound. Unwashed wools shall be considered such as shall have been shorn from the animal without any cleaning; washed wools shall be considered such as have been washed with water only on the animal's back or on the skin; wools washed in any other manner than on the animal's back or on the skin shall be considered as scoured wool. On wool and hair provided for in this paragraph, which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound. |
| Additional, if sorted, etc.  |   |
| Advanced beyond washed, etc.   | 19. Wool and hair of the kind provided for in paragraph 18, when advanced in any manner or by any process of manufacture beyond the washed or scoured condition, and manufactures of which wool or hair of the kind provided for in paragraph 18 is the component material of chief value, 45 cents per pound in addition to the rates of duty imposed thereon by existing law.   |
| Manufactures thereof. Additional to present rates. Vol. 33, p. 142.                      |   |
| Sugars, etc.   | 20. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above seventy-five degrees, one and sixteen one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, four one-hundredths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above forty degrees, 24 per centum ad valorem; testing above forty degrees and not above fifty-six degrees, 3½ cents per gallon; testing above fifty-six degrees, 7 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.  |
| Molasses.  |   |
| Drainings and sweepings.   | 21. Butter, and substitutes therefor, 6 cents per pound.  |
| Butter.  | 22. Cheese, and substitutes therefor, 23 per centum ad valorem.   |
| Cheese.  | 23. Milk, fresh, 2 cents per gallon; cream, 5 cents per gallon.   |
| Milk and cream.  | 24. Milk, preserved or condensed, or sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; sugar of milk, 5 cents per pound.  |
| Condensed, etc.  | 25. Wrapper tobacco and filler tobacco when mixed or packed with more than 15 per centum of wrapper tobacco, and all leaf   |
| Sugar of milk.   |   |
| Tobacco.   |   |
| Wrapper.   |   |

tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, \$2.35 per pound; if stemmed, \$3 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

The term "wrapper tobacco" as used in this section means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term "filler tobacco" means all other leaf tobacco.

26. Apples, 30 cents per bushel.

27. Cherries in a raw state, preserved in brine or otherwise, 3 cents per pound.

28. Olives, in solutions, 25 cents per gallon; olives, not in solutions, 3 cents per pound.

SEC. 2. The rates of duty imposed by section 1 (except under paragraphs 17 and 19) in the case of articles on which a rate of duty is imposed by existing law, shall be in lieu of such rate of duty during the six months' period referred to in section 1.

SEC. 3. After the expiration of the six months' period referred to in section 1, the rates of duty upon the articles therein enumerated shall be those, if any, imposed thereon by existing law.

SEC. 4. The duties imposed by this title shall be levied, collected, and paid on the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the duties imposed by such Act of 1913.

SEC. 5. That this title shall be cited as the "Emergency Tariff Act."

## TITLE II.—ANTIDUMPING.

### DUMPING INVESTIGATION.

SEC. 201. (a) That whenever the Secretary of the Treasury (hereinafter in this Act called the "Secretary"), after such investigation as he deems necessary, finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise, and that merchandise of such class or kind is being sold or is likely to be sold in the United States or elsewhere at less than its fair value, then he shall make such finding public to the extent he deems necessary, together with a description of the class or kind of merchandise to which it applies in such detail as may be necessary for the guidance of the appraising officers.

(b) Whenever, in the case of any imported merchandise of a class or kind as to which the Secretary has not so made public a finding, the appraiser or person acting as appraiser has reason to believe or suspect, from the invoice or other papers or from information presented to him, that the purchase price is less, or that the exporter's sales price is less or likely to be less, than the foreign market value (or, in the absence of such value, than the cost of production) he shall forthwith, under regulations prescribed by the Secretary, notify the Secretary of such fact and withhold his appraisement report to the collector as to such merchandise until the further order of the Secretary, or until the Secretary has made public a finding as provided in subdivision (a) in regard to such merchandise.

### SPECIAL DUMPING DUTY.

SEC. 202. (a) That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no

Filler.

Classification.

Apples.

Cherries.

Olives.

Rates in lieu of present duties, except cotton and wool manufactures.

Former rates restored after six months.

Collection, etc.  
Vol. 38, pp. 114-202.

Title of Act.

Antidumping Act,  
1921.

Dumping investigation.

Secretary to investigate if imports are sold at less than fair value, to injury of American industry.

Finding to be made public.

Appraisement of import withheld when purchase price believed less than market value, etc.

To await order or finding of Secretary.

Special dumping duty.

Levied on all unappraised imports subject to, if price thereof less than foreign market value, etc.

To equal difference.

Determination of market value if difference due to sales of greater quantities for American export, than in home market, etc.

If difference due to sales of greater quantities of such goods in markets of United States, than in country of export, etc.

appraisement report to the collector before such finding has been so made public, if the purchase price or the exporter's sales price is less than the foreign market value (or, in the absence of such value, than the cost of production) there shall be levied, collected, and paid, in addition to the duties imposed thereon by law, a special dumping duty in an amount equal to such difference.

(b) If it is established to the satisfaction of the appraising officers that the amount of such difference between the purchase price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers for exportation to the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then due allowance shall be made therefor in determining the foreign market value for the purposes of this section.

(c) If it is established to the satisfaction of the appraising officers that the amount of such difference between the exporter's sales price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then due allowance shall be made therefor in determining the foreign market value for the purposes of this section.

Purchase price.

PURCHASE PRICE.

Considerations to determine. Paid by purchaser, including packing expenses, etc.

Import duties, and shipping expenses deducted.

Export tax, rebates, etc., added.

SEC. 203. That for the purposes of this title, the purchase price of imported merchandise shall be the price at which such merchandise has been purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account the merchandise is imported, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States; and plus the amount, if not included in such price, of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller, in respect to the manufacture, production or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States.

## EXPORTER'S SALES PRICE.

Exporter's sales price.

Items included in.

SEC. 204. That for the purpose of this title the exporter's sales price of imported merchandise shall be the price at which such merchandise is sold or agreed to be sold in the United States, before or after the time of importation, by or for the account of the exporter, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less (1) the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, (2) the amount of the commissions, if any, for selling in the United States the particular merchandise under consideration, (3) an amount equal to the expenses, if any, generally incurred by or for the account of the exporter in the United States in selling identical or substantially identical merchandise, and (4) the amount of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller in respect to the manufacture, production, or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States.

Deductions.  
United States duties,  
and shipment ex-  
penses.Selling commissions  
and expenses.Export tax of coun-  
try whence exported.Rebates, etc., of  
taxes, added.

## FOREIGN MARKET VALUE.

Foreign market  
value.

SEC. 205. That for the purposes of this title the foreign market value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition packed ready for shipment to the United States, except that in the case of merchandise purchased or agreed to be purchased by the person by whom or for whose account the merchandise is imported, prior to the time of exportation, the foreign market value shall be ascertained as of the date of such purchase or agreement to purchase. In the ascertainment of foreign market value for the purposes of this title no pretended sale or offer for sale, and no sale or offer for sale intended to establish a fictitious market, shall be taken into account.

Determined by usual  
price in country  
whence exported, at  
the time thereof.Cost of preparing for  
shipment added if not  
included in price.If ordered prior to  
time when exported,  
as of date thereof.Pretended sales, etc.,  
not considered.

## COST OF PRODUCTION.

Cost of production.

SEC. 206. That for the purposes of this title the cost of production of imported merchandise shall be the sum of—

Elements of.

(1) The cost of materials of, and of fabrication, manipulation, or other process employed in manufacturing or producing, identical or substantially identical merchandise, at a time preceding the date of shipment of the particular merchandise under consideration which would ordinarily permit the manufacture or production of the par-

Materials, and cost  
of making before ship-  
ment.



|   |   |
|---|---|
| Usual general expenses.                             | particular merchandise under consideration in the usual course of business;   |
| Coverings, packing expenses, etc.                   | (2) The usual general expenses (not less than 10 per centum of such cost) in the case of identical or substantially identical merchandise;  |
| Profits ordinarily added in country where produced. | (3) The cost of all containers and coverings, and all other costs, charges, and expenses incident to placing the particular merchandise under consideration in condition, packed ready for shipment to the United States; and   |
|   | (4) An addition for profit (not less than 8 per centum of the sum of the amounts found under paragraphs (1) and (2) ) equal to the profit which is ordinarily added, in the case of merchandise of the same general character as the particular merchandise under consideration, by manufacturers or producers in the country of manufacture or production who are engaged in the same general trade as the manufacturer or producer of the particular merchandise under consideration. |

## Exporter.

## EXPORTER.

Person deemed to be the.

SEC. 207. That for the purposes of this title the exporter of imported merchandise shall be the person by whom or for whose account the merchandise is imported into the United States:

Agent or principal of, etc.

(1) If such person is the agent or principal of the exporter, manufacturer, or producer; or

Owning or controlling any interest in the business of, etc.

(2) If such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in the business of the exporter, manufacturer, or producer; or

Owning an interest in any business of.

(3) If the exporter, manufacturer, or producer owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in any business conducted by such person; or

Owning interest in business of the importer, and also of.

(4) If any person or persons, jointly or severally, directly or indirectly, through stock ownership or control or otherwise, own or control in the aggregate 20 per centum or more of the voting power or control in the business carried on by the person by whom or for whose account the merchandise is imported into the United States, and also 20 per centum or more of such power or control in the business of the exporter, manufacturer, or producer.

Oaths and bonds on entry.

## OATHS AND BONDS ON ENTRY.

Delivery of imports subject to dumping duty, unlawful. Act, p. 11.

SEC. 208. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and delivery of which has not been made by the collector before such finding has been so made public, unless the person by whom or for whose account such merchandise is imported makes oath before the collector, under regulations prescribed by the Secretary, that he is not an exporter, or unless such person declares under oath at the time of entry, under regulations prescribed by the Secretary, the exporter's sales price of such merchandise, it shall be unlawful for the collector to deliver the merchandise until such person has made oath before the collector, under regulations prescribed by the Secretary, that the merchandise has not been sold or agreed to be sold by such person, and has given bond to the collector, under regulations prescribed by the Secretary, with sureties approved by the collector, in an amount equal to the estimated value of the merchandise, conditioned: (1) that he will report to the collector the exporter's sales price of the merchandise within 30 days after such merchandise has been sold or agreed to be sold in the United States, (2) that he will pay on demand from the collector the amount of special dumping duty, if any, imposed by

Unless importer makes oath that he is not an exporter.

Or declares exporter's sales price.

Permitted on making oath that sale has not been made.

On giving bond to report sales price in 30 days after sale.

To pay special duty.

this title upon such merchandise, and (3) that he will furnish to the collector such information as may be in his possession and as may be necessary for the ascertainment of such duty, and will keep such records as to the sale of such merchandise as the Secretary may by regulation prescribe.

To furnish necessary information, etc.

#### DUTIES OF APPRAISERS.

Duties of appraisers.

SEC. 209. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no appraisement report to the collector before such finding has been so made public, it shall be the duty of each appraiser or person acting as appraiser, by all reasonable ways and means to ascertain, estimate, and appraise (any invoice or affidavit thereto or statement of cost of production to the contrary notwithstanding) and report to the collector the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and any other facts which the Secretary may deem necessary for the purposes of this title.

To estimate and report foreign market value, price, etc., of imports subject to special duty.

Act, p. 11.

#### APPEALS AND PROTESTS.

Appeals and protests.

SEC. 210. That for the purposes of this title the determination of the appraiser or person acting as appraiser as to the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and the action of the collector in assessing special dumping duty, shall have the same force and effect and be subject to the same right of appeal and protest, under the same conditions and subject to the same limitations; and the general appraisers, the Board of General Appraisers, and the Court of Customs Appeals shall have the same jurisdiction, powers, and duties in connection with such appeals and protests as in the case of appeals and protests relating to customs duties under existing law.

Action of appraisers and collectors subject to right of.

Jurisdiction of general appraisers, etc., as in existing laws.

#### DRAWBACKS.

Drawbacks.

SEC. 211. That the special dumping duty imposed by this title shall be treated in all respects as regular customs duties within the meaning of all laws relating to the drawback of customs duties.

Usual allowances for.

#### SHORT TITLE.

SEC. 212. That this title may be cited as the "Antidumping Act, 1921."

Title of Act.

#### TITLE III.—ASSESSMENT OF AD VALOREM DUTIES.

Assessment of ad valorem duties.

SEC. 301. That whenever merchandise which is imported into the United States is subject to an ad valorem rate of duty or to a duty based upon or regulated in any manner by the value thereof, duty shall in no case be assessed on a value less than the export value of such merchandise.

No assessment on less than export value.

#### EXPORT VALUE.

Export value.

SEC. 302. That for the purposes of this title the export value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade, for exporta-

Wholesale price in principal market of country of export at time thereof, to determine.

Packing, etc., costs included.

Import duties, shipment charges, etc., deducted.

Export tax added.

tion to the United States, plus, when not included in such price, the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any additional costs, charges, and expenses, and United States import duties, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, and plus, if not included in such price, the amount of any export tax imposed by the country of exportation on merchandise exported to the United States.

"Value."

#### REFERENCES TO "VALUE" IN EXISTING LAW.

In appraising imports, to mean market, or export, whichever is higher.

Forfeitures sales, drawbacks, etc., excepted.

R. S., secs. 2874, 2876, 3016, pp. 556, 574, 581. Vol. 30, p. 798.

Of component material determined by Tariff Act of 1913. Vol. 38, pp. 114-202.

SEC. 303 (a). That wherever in Title I of this Act, or in the Tariff Act of 1913, as amended, or in any law of the United States in existence at the time of the enactment of this Act relative to the appraisement of imported merchandise (except sections 2874, 2976, and 3016 of the Revised Statutes, and section 801 of the Revenue Act of 1916), reference is made to the value of imported merchandise (irrespective of the particular phraseology used and irrespective of whether or not such phraseology is limited or qualified by words referring to country or port of exportation or principal markets) such reference shall, in respect to all merchandise imported on or after the day this Act takes effect, be construed to refer, except as provided in subdivision (b), to actual market value as defined by the law in existence at the time of the enactment of this Act, or to export value as defined by section 302 of this Act, whichever is higher.

(b) If the rate of duty upon imported merchandise is in any manner dependent upon the value of any component material thereof, such value shall be an amount determined under the provisions of the Tariff Act of 1913, as in force prior to the enactment of this Act.

Definition.

#### DEFINITIONS.

"Tariff Act of 1913." Meaning declared. Vol. 38, pp. 114-202.

SEC. 304. That when used in this title the term "Tariff Act of 1913" means the Act entitled "An Act to reduce tariff duties and provide revenue for the Government, and for other purposes," approved October 3, 1913.

General provisions.

#### TITLE IV.—GENERAL PROVISIONS.

Statements in invoice.

#### STATEMENTS IN INVOICE.

Additional required, including as to currency used.

SEC. 401. That all invoices of imported merchandise, and all statements in the form of an invoice, in addition to the statements required by law in existence at the time of the enactment of this Act, shall contain such other statements as the Secretary may by regulation prescribe, and a statement as to the currency in which made out, specifying whether gold, silver, or paper.

Statements at time of entry.

#### STATEMENTS AT TIME OF ENTRY.

Additional, as prescribed by regulations.

SEC. 402. That the owner, importer, consignee, or agent, making entry of imported merchandise, shall set forth upon the invoice, or statement in the form of an invoice, and in the entry, in addition to the statements required by the law in existence at the time of the enactment of this Act, such statements, under oath if required, as the Secretary may by regulation prescribe.

## CONVERSION OF CURRENCY.

Conversion of currency.

Foreign coins. Vol. 28, p. 552, amended.

Value in United States money.

Quarterly circular estimating, to be proclaimed.

Duties to be assessed on values in circular for quarter in which export made.

New York buying rate, if value not proclaimed or varying over 5 per cent from it.

Method of determining buying rate.

Considerations for ascertaining.

Depreciated currency and pound sterling provisions repealed.

R. S., secs. 2903, 3565, pp. 563, 708, repealed. In force for imports prior hereto. Vol. 28, p. 552.

Exporter's books, etc.

Appraising officer to be permitted inspection of, pertaining to market value, etc., of goods exported.

Importation prohibited on failure.

Delivery thereof to be withheld.

SEC. 403. (a) That section 25 of the Act of August 27, 1894, entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes," is amended to read as follows:

"SEC. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury quarterly on the first day of January, April, July, and October in each year."

(b) For the purpose of the assessment and collection of duties upon merchandise imported into the United States on or after the day of the enactment of this Act, wherever it is necessary to convert foreign currency into currency of the United States, such conversion, except as provided in subdivision (c), shall be made at the values proclaimed by the Secretary under the provisions of section 25 of such Act of August 27, 1894, for the quarter in which the merchandise was exported.

(c) If no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate. For the purposes of this subdivision such buying rate shall be the buying rate for cable transfers payable in the foreign currency so to be converted; and shall be determined by the Federal Reserve Bank of New York and certified daily to the Secretary, who shall make it public at such times and to such extent as he deems necessary. In ascertaining such buying rate such Federal Reserve Bank may in its discretion (1) take into consideration the last ascertainable transactions and quotations, whether direct or through the exchange of other currencies, and (2) if there is no market buying rate for such cable transfers, calculate such rate from actual transactions and quotations in demand or time bills of exchange.

(d) Sections 2903 and 3565 of the Revised Statutes are repealed.

(e) Section 25 of such Act of August 27, 1894, as in force prior to the enactment of this Act, and section 2903 of the Revised Statutes, shall remain in force for the assessment and collection of duties on merchandise imported into the United States prior to the day of the enactment of this Act.

## INSPECTION OF EXPORTER'S BOOKS.

SEC. 404. That if any person manufacturing, producing, selling, shipping, or consigning merchandise exported to the United States fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the market value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation into the United States of merchandise manufactured, produced, sold, shipped or consigned by such person, and (2) may instruct the collectors to withhold delivery of merchandise manufactured, produced, sold, shipped or consigned by such

Forfeiture and sale if failure continues one year.

person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

Importer's books, etc.

#### INSPECTION OF IMPORTER'S BOOKS.

Appraising officer to be permitted inspection of, pertaining to value of imported goods, etc.

SEC. 405. That if any person importing merchandise into the United States or dealing in imported merchandise fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation of merchandise into the United States by or for the account of such person, and (2) shall instruct the collectors to withhold delivery of merchandise imported by or for the account of such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

Importations by, prohibited on failure.

Delivery to be withheld. Sale if failure continues one year.

#### Definitions.

#### DEFINITIONS.

Construction of terms used. "Person."

SEC. 406. That when used in Title II or Title III or in this title—The term "person" includes individuals, partnerships, corporations, and associations; and

"United States." Island possessions and Canal Zone excepted.

The term "United States" includes all Territories and possessions subject to the jurisdiction of the United States, except the Philippine Islands, the Virgin Islands, the islands of Guam and Tutuila, and the Canal Zone.

Rules and regulations.

#### RULES AND REGULATIONS.

Enforcement of Act by.

SEC. 407. That the Secretary shall make rules and regulations necessary for the enforcement of this Act.

Dye and Chemical Control Act, 1921.

#### TITLE V.—DYES AND CHEMICALS.

Specified imports forbidden entry or delivery for three months. Post, pp. 191, 220.

SEC. 501. (a) That on and after the day following the enactment of this Act, for the period of three months, no sodium nitrite, no dyes or dyestuffs, including crudes and intermediates, no product or products derived directly or indirectly from coal tar (including crudes, intermediates, finished or partly finished products, and mixtures and compounds of such coal-tar products), and no synthetic organic drugs or synthetic organic chemicals, shall be admitted to entry or delivered from customs custody in the United States or in any of its possessions unless the Secretary determines that such article or a satisfactory substitute therefor is not obtainable in the United States or in any of its possessions in sufficient quantities and on reasonable terms as to quality, price and delivery, and that such article in the quantity to be admitted is required for consumption by an actual consumer in the United States or in any of its possessions within six months after receipt of the merchandise.

Conditions allowing admission.

(b) Upon the day following the enactment of this Act the War Trade Board Section of the Department of State shall cease to exist; all clerks and employees of such War Trade Board Section shall be transferred to and become clerks and employees of the Treasury Department and all books, documents, and other records relating to such dye and chemical import control of such War Trade Board

War Trade Board Section, State Department, abolished.

Personnel, etc., transferred to Treasury Department. Post, p. 192.

Section shall become books, documents and records of the Treasury Department. All individual licenses issued by such War Trade Board Section prior to the enactment of this Act shall remain in effect during the period of their validity, and the importations under such licenses shall be permitted. All unexpended funds and appropriations for the use and maintenance of such War Trade Board Section shall become funds and appropriations available to be expended by the Secretary in the exercise of the power and authority conferred upon him by this section.

Prior licenses to continue.

Funds, etc., transferred.

Title declared.

SEC. 502. That this title may be cited as the "Dye and Chemical Control Act, 1921."

Approved, May 27, 1921.

CHAP. 15.—An Act To extend the time for the construction of a bridge across the Red River of the North, at or near the city of Pembina, North Dakota.

May 31, 1921.

[S. 82.]

[Public, No. 11.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge and approaches thereto authorized by the Act of Congress approved June 5, 1920, to be constructed by the counties of Pembina, North Dakota, and Kittson, Minnesota, across the Red River of the North at a point suitable to the interests of navigation at or near the city of Pembina, North Dakota, are hereby extended one and three years, respectively, from the date of approval hereof.

Red River of the North.

Time extended for bridging, Pembina, N. Dak.

Vol. 41, p. 947, amended.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 31, 1921.

CHAP. 16.—An Act Authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock Numbered Four of the canal and locks, Willamette Falls, Clackamas County, Oregon.

May 31, 1921.

[H. R. 2173.]

[Public, No. 12.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Crown Willamette Paper Company, a corporation, is hereby authorized, subject to the approval of the Chief of Engineers and Secretary of War, and to such conditions as they may prescribe, to construct, maintain, and operate a private drawbridge, connecting the units of its industrial plant, over and across Lock Numbered Four of the canal and locks, Willamette Falls, Clackamas County, Oregon, and to use the canal right of way for abutments or other construction work, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Willamette Falls canal, Oreg.

Crown Willamette Paper Company may bridge Lock No. 4.

Construction.  
Vol. 34, p. 84.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 31, 1921.

CHAP. 17.—Joint Resolution For the relief of sufferers in Colorado from the flood due to the overflow of the Arkansas River and its tributaries.

June 8, 1921.

[H. J. Res. 148.]

[Pub. Res., No. 3.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized and directed to take such temporary sanitary measures as he may deem necessary and to furnish subsistence and quartermaster supplies belonging to the Military Establishment and available, and issue the same to such destitute persons in Colorado as

Arkansas River floods in Colorado.

Army supplies to be furnished sufferers from.

have been rendered homeless or are in needy circumstances as the result of the recent flood due to the overflow of the Arkansas River and its tributaries, and in executing this joint resolution, the Secretary of War is directed so far as possible to cooperate with the authorities of the State of Colorado, and the mayors of such cities on the Arkansas River or its tributaries as may have sustained damages.

Approved, June 8, 1921.

June 10, 1921.  
[S. 1064.]  
[Public, No. 13.]

**CHAP. 18.**—An Act To provide a national budget system and an independent audit of Government accounts, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Budget and Accounting Act, 1921.

#### TITLE I.—DEFINITIONS.

|   |   |
|---|---|
| Title of Act.                             | <b>SECTION 1.</b> This Act may be cited as the "Budget and Accounting Act, 1921."   |
| Meaning of terms.                         | <b>SEC. 2.</b> When used in this Act—   |
| "Department" and establishment."          | The terms "department and establishment" and "department or establishment" mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the Legislative Branch of the Government or the Supreme Court of the United States; |
| Congress and Supreme Court, not included. | The term "the Budget" means the Budget required by section 201 to be transmitted to Congress;   |
| "The Budget."                             | The term "Bureau" means the Bureau of the Budget;   |
| "Bureau."                                 | The term "Director" means the Director of the Bureau of the Budget; and   |
| "Director."                               | The term "Assistant Director" means the Assistant Director of the Bureau of the Budget.   |
| "Assistant Director."                     |   |

The Budget.

#### TITLE II.—THE BUDGET.

|   |  |
|---|--|
| President to send, annually to Congress.  | <b>SEC. 201.</b> The President shall transmit to Congress on the first day of each regular session, the Budget, which shall set forth in summary and in detail:  |
| Contents.<br>Estimates of expenditures and appropriations for ensuing year.<br>For Congress and Supreme Court without revision. | (a) Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the Legislative Branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15th of each year, and shall be included by him in the Budget without revision; |
| Estimates of receipts for ensuing year.   | (b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the Budget is transmitted and also (2) under the revenue proposals, if any, contained in the Budget;   |
| Expenditures and receipts of the last year.   | (c) The expenditures and receipts of the Government during the last completed fiscal year;   |
| Estimates of expenditures and receipts of current year.   | (d) Estimates of the expenditures and receipts of the Government during the fiscal year in progress;   |
| Amount available November first of current year for expenditures.   | (e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;  |
| Condition of Treasury at end of last year, and estimates for current and ensuing years.   | (f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3)  |

the estimated condition of the Treasury at the end of the ensuing fiscal year if the financial proposals contained in the Budget are adopted;

(g) All essential facts regarding the bonded and other indebtedness of the Government; and

(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

SEC. 202. (a) If the estimated receipts for the ensuing fiscal year contained in the Budget, on the basis of laws existing at the time the Budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year, are less than the estimated expenditures for the ensuing fiscal year contained in the Budget, the President in the Budget shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the estimated deficiency.

(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests require.

SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the Budget, or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the Budget.

(b) Whenever such supplemental or deficiency estimates reach an aggregate which, if they had been contained in the Budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall thereupon make such recommendation.

SEC. 204. (a) Except as otherwise provided in this Act, the contents, order, and arrangement of the estimates of appropriations and the statements of expenditures and estimated expenditures contained in the Budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform to the requirements of existing law.

(b) Estimates for lump-sum appropriations contained in the Budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character now required by law.

SEC. 205. The President, in addition to the Budget, shall transmit to Congress on the first Monday in December, 1921, for the service of the fiscal year ending June 30, 1923, only, an alternative budget, which shall be prepared in such form and amounts and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where the various items embraced in the Budget are contained in such alternative budget.

SEC. 206. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House of Congress.

Government indebtedness.

Other data of financial condition.

Recommendations to meet deficiency if estimated resources less than proposed expenditures.

Recommendations if proposed expenditures less than estimated resources.

Supplemental or deficiency estimates authorized to meet necessary expenses.

Reasons for, to accompany.

Recommendations if exceeding estimated resources.

Former arrangements of estimates, etc., continued.

Statements to accompany lump sum estimates.

In lieu of present requirements.

Alternative budget for fiscal year 1923, to be submitted.

Form, recommendations, etc.

Restriction on submission of estimates, etc., by other officers or employees.



Budget Bureau created in Treasury Department.  
Director and Assistant Director for.

Duties of Assistant Director.

Functions of Bureau.

Authority of Director over personnel, expenses, etc.

Pay restriction.

Application of civil service laws, etc.

Transfer of Federal employees permitted until June 30, 1922.

Vol. 34, p. 449.

Bureau employees allowed additional pay of \$240 a year.  
Vol. 41, pp. 689, 1308.

Detailed study by Bureau for securing greater economy and efficiency in public service.

Report to President of results.  
Transmittal to Congress.

Laws relating to preparing receipts and expenditures and estimates for Congress to be codified.  
Transmittal by President with recommendations for changes, etc.

Estimates to be compiled.  
R. S., sec. 3009, p. 722.

SEC. 207. There is hereby created in the Treasury Department a Bureau to be known as the Bureau of the Budget. There shall be in the Bureau a Director and an Assistant Director, who shall be appointed by the President and receive salaries of \$10,000 and \$7,500 a year, respectively. The Assistant Director shall perform such duties as the Director may designate, and during the absence or incapacity of the Director or during a vacancy in the office of Director he shall act as Director. The Bureau, under such rules and regulations as the President may prescribe, shall prepare for him the Budget, the alternative Budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

SEC. 208. (a) The Director, under such rules and regulations as the President may prescribe, shall appoint and fix the compensation of attorneys and other employees and make expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office, within the appropriations made therefor.

(b) No person appointed by the Director shall be paid a salary at a rate in excess of \$6,000 a year, and not more than four persons so appointed shall be paid a salary at a rate in excess of \$5,000 a year.

(c) All employees in the Bureau whose compensation is at a rate of \$5,000 a year or less shall be appointed in accordance with the civil-service laws and regulations.

(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal years ending June 30, 1921, and June 30, 1922, to the transfer of employees to the Bureau.

(e) The Bureau shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the Legislative, Executive, and Judicial Appropriation Act for the fiscal years ending June 30, 1921, and June 30, 1922, if otherwise entitled thereto.

SEC. 209. The Bureau, when directed by the President, shall make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports or any part thereof with his recommendations on the matters covered thereby.

SEC. 210. The Bureau shall prepare for the President a codification of all laws or parts of laws relating to the preparation and transmission to Congress of statements of receipts and expenditures of the Government and of estimates of appropriations. The President shall transmit the same to Congress on or before the first Monday in December, 1921, with a recommendation as to the changes which, in his opinion, should be made in such laws or parts of laws.

SEC. 211. The powers and duties relating to the compiling of estimates now conferred and imposed upon the Division of Book-keeping and Warrants of the office of the Secretary of the Treasury are transferred to the Bureau.

SEC. 212. The Bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and information as it may request.

Information to Congress when requested.

SEC. 213. Under such regulations as the President may prescribe, (1) every department and establishment shall furnish to the Bureau such information as the Bureau may from time to time require, and (2) the Director and the Assistant Director, or any employee of the Bureau when duly authorized, shall, for the purpose of securing such information, have access to, and the right to examine, any books, documents, papers, or records of any such department or establishment.

Departments, etc., to furnish information to Bureau.

Access to records, etc., for examination.

SEC. 214. (a) The head of each department and establishment shall designate an official thereof as budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates.

Budget officers of departments, etc., to prepare estimates thereof.

(b) Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its work.

Supplemental, etc., estimates.

SEC. 215. The head of each department and establishment shall revise the departmental estimates and submit them to the Bureau on or before September 15 of each year. In case of his failure so to do, the President shall cause to be prepared such estimates and data as are necessary to enable him to include in the Budget estimates and statements in respect to the work of such department or establishment.

Revision and submission by heads of departments, etc., to prepare estimates in case of failure.

SEC. 216. The departmental estimates and any supplemental or deficiency estimates submitted to the Bureau by the head of any department or establishment shall be prepared and submitted in such form, manner, and detail as the President may prescribe.

Form, etc., of estimates to be prescribed.

SEC. 217. For expenses of the establishment and maintenance of the Bureau there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$225,000, to continue available during the fiscal year ending June 30, 1922.

Appropriation for establishing, etc., Bureau.

### TITLE III.—GENERAL ACCOUNTING OFFICE.

General Accounting Office.

SEC. 301. There is created an establishment of the Government to be known as the General Accounting Office, which shall be independent of the executive departments and under the control and direction of the Comptroller General of the United States. The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1921. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and employees in the General Accounting Office at their grades and salaries on July 1, 1921, and all books, records, documents, papers, furniture, office equipment and other property of the office of the Comptroller of the Treasury shall become the property of the General Accounting Office. The Comptroller General is authorized to adopt a seal for the General Accounting Office.

Created as an independent establishment, under Comptroller General.

Offices of Comptroller of the Treasury and Assistant, abolished.

Personnel, records, equipment, etc., assigned to General Accounting Office.

SEC. 302. There shall be in the General Accounting Office a Comptroller General of the United States and an Assistant Comptroller General of the United States, who shall be appointed by the President with the advice and consent of the Senate, and shall receive salaries of \$10,000 and \$7,500 a year, respectively. The Assistant Comptroller General shall perform such duties as may be assigned to him by the Comptroller General, and during the absence or incapacity of the Comptroller General, or during a vacancy in that office, shall act as Comptroller General.

Seal of Office.

Comptroller General and Assistant to be appointed.

Salaries.

Duties of Assistant.

SEC. 303. Except as hereinafter provided in this section, the Comptroller General and the Assistant Comptroller General shall hold

Tenure of office, etc.

Method and sole causes for removal specified.

Reappointment forbidden.

Age retirement.

Duties of Comptroller of the Treasury, the Auditors, and of personal ledger accounts by Bookkeeping, etc., Division, vested independently in Accounting Office.

Finality of certified balances.

Revision of auditors' settlements after July 1, 1921, discontinued.

Postal service. Bureau of Accounts, Post Office Department, created for administrative examination of accounts. Comptroller for, to be appointed.

Duties to be performed.

Salary of Auditor transferred. Vol. 41, p. 1269.

Transfer of personnel.

Appropriations transferred.

Vol. 41, pp. 1269, 1273.

Public accounts. R. S., sec. 236, p. 39, amended.

Settlement and adjustment thereof by General Accounting Office.

General administrative laws applicable.

Effect of copies of records, etc., as evidence.

office for fifteen years. The Comptroller General shall not be eligible for reappointment. The Comptroller General or the Assistant Comptroller General may be removed at any time by joint resolution of Congress after notice and hearing, when, in the judgment of Congress, the Comptroller General or Assistant Comptroller General has become permanently incapacitated or has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any Comptroller General or Assistant Comptroller General removed in the manner herein provided shall be ineligible for reappointment to that office. When a Comptroller General or Assistant Comptroller General attains the age of seventy years, he shall be retired from his office.

SEC. 304. All powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the Office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this Act, be vested in and imposed upon the General Accounting Office and be exercised without direction from any other officer. The balances certified by the Comptroller General shall be final and conclusive upon the executive branch of the Government. The revision by the Comptroller General of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1921.

The administrative examination of the accounts and vouchers of the Postal Service now imposed by law upon the Auditor for the Post Office Department shall be performed on and after July 1, 1921, by a bureau in the Post Office Department to be known as the Bureau of Accounts, which is hereby established for that purpose. The Bureau of Accounts shall be under the direction of a Comptroller, who shall be appointed by the President with the advice and consent of the Senate, and shall receive a salary of \$5,000 a year. The Comptroller shall perform the administrative duties now performed by the Auditor for the Post Office Department and such other duties in relation thereto as the Postmaster General may direct. The appropriation of \$5,000 for the salary of the Auditor for the Post Office Department for the fiscal year 1922 is transferred and made available for the salary of the Comptroller, Bureau of Accounts, Post Office Department. The officers and employees of the Office of the Auditor for the Post Office Department engaged in the administrative examination of accounts shall become officers and employees of the Bureau of Accounts at their grades and salaries on July 1, 1921. The appropriations for salaries and for contingent and miscellaneous expenses and tabulating equipment for such office for the fiscal year 1922, and all books, records, documents, papers, furniture, office equipment, and other property shall be apportioned between, transferred to, and made available for the Bureau of Accounts and the General Accounting Office, respectively, on the basis of duties transferred.

SEC. 305. Section 236 of the Revised Statutes is amended to read as follows:

"SEC. 236. All claims and demands whatever by the Government of the United States or against it, and all accounts whatever in which the Government of the United States is concerned, either as debtor or creditor, shall be settled and adjusted in the General Accounting Office."

SEC. 306. All laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the General Accounting Office. Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the

General Accounting Office, when certified by the Comptroller General or the Assistant Comptroller General under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

SEC. 307. The Comptroller General may provide for the payment of accounts or claims adjusted and settled in the General Accounting Office, through disbursing officers of the several departments and establishments, instead of by warrant.

SEC. 308. The duties now appertaining to the Division of Public Moneys of the Office of the Secretary of the Treasury, so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and the certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the Office of the Secretary of the Treasury.

SEC. 309. The Comptroller General shall prescribe the forms, systems, and procedure for administrative appropriation and fund accounting in the several departments and establishments, and for the administrative examination of fiscal officers' accounts and claims against the United States.

SEC. 310. The offices of the six auditors shall be abolished, to take effect July 1, 1921. All other officers and employees of these offices except as otherwise provided herein shall become officers and employees of the General Accounting Office at their grades and salaries on July 1, 1921. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and Warrants, so far as they relate to the work of such division transferred by section 304, shall become the property of the General Accounting Office. The General Accounting Office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

SEC. 311. (a) The Comptroller General shall appoint, remove, and fix the compensation of such attorneys and other employees in the General Accounting Office as may from time to time be provided for by law.

(b) All such appointments, except to positions carrying a salary at a rate of more than \$5,000 a year, shall be made in accordance with the civil-service laws and regulations.

(c) No person appointed by the Comptroller General shall be paid a salary at a rate of more than \$6,000 a year, and not more than four persons shall be paid a salary at a rate of more than \$5,000 a year.

(d) All officers and employees of the General Accounting Office, whether transferred thereto or appointed by the Comptroller General, shall perform such duties as may be assigned to them by him.

(e) All official acts performed by such officers or employees specially designated therefor by the Comptroller General shall have the same force and effect as though performed by the Comptroller General in person.

(f) The Comptroller General shall make such rules and regulations as may be necessary for carrying on the work of the General Accounting Office, including rules and regulations concerning the admission of attorneys to practice before such office.

SEC. 312. (a) The Comptroller General shall investigate, at the seat of government or elsewhere, all matters relating to the receipt, disbursement, and application of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the General Accounting Office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt, disbursement, and application

R. S., secs. 882, 886, p. 167.  
Adjusted claims, etc., to be paid through disbursing officers.

Specified duties transferred from Public Moneys Division to Bookkeeping, etc., Division.

Administrative procedure for accounting, etc., to be prescribed.

Offices of auditors abolished.  
Personnel, etc., transferred to Accounting Office.

Temporary office rooms assigned.

Appointment, etc., of employees by Comptroller General.

Application of civil service laws.

Pay restrictions.

Assignment of duties.

Authority of employees specially designated.

Regulations, etc., authorized.

Comptroller General. Investigation by, of all matters relating to public funds.

Recommendations by, to Congress to facilitate accurate rendition of accounts, etc.

For greater economy and efficiency in public expenditures.

Special investigations, etc., when ordered by Congress or committees thereof.

Special reports of violations of law by departments, etc.

Report of departmental examination and inspection of accounts adequate, etc.

Information to Budget Bureau when requested.

Departments to furnish information of their activities, etc.

Access to records, etc.

Diplomatic emergencies excepted.  
R. S. sec. 201, p. 49.

Eligible list of accountants to be established.

Transfer of appropriations for offices herein abolished.  
Vol. 41, pp. 1268, 1269.

Changes in transferred personnel, etc., authorized during fiscal year.

Proportionate share of appropriations for rent, contingent expenses, etc., Treasury Department, 1922, transferred.

Appropriations made available for Accounting Office.

of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The Comptroller General shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as it may request.

(c) The Comptroller General shall specially report to Congress every expenditure or contract made by any department or establishment in any year in violation of law.

(d) He shall submit to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers.

(e) He shall furnish such information relating to expenditures and accounting to the Bureau of the Budget as it may request from time to time.

SEC. 313. All departments and establishments shall furnish to the Comptroller General such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the Comptroller General, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes.

SEC. 314. The Civil Service Commission shall establish an eligible register for accountants for the General Accounting Office, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the Comptroller General.

SEC. 315. (a) All appropriations for the fiscal year ending June 30, 1922, for the offices of the Comptroller of the Treasury and the six auditors, are transferred to and made available for the General Accounting Office, except as otherwise provided herein.

(b) During such fiscal year the Comptroller General, within the limit of the total appropriations available for the General Accounting Office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the General Accounting Office under this Act as may be necessary.

(c) There shall also be transferred to the General Accounting Office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1922, as are equal to the amounts expended from similar appropriations during the fiscal year ending June 30, 1921, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors.

(d) During the fiscal year ending June 30, 1922, the appropriations and portions of appropriations referred to in this section shall be available for salaries and expenses of the General Accounting Office, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscellaneous and contingent expenses.

SEC. 316. The General Accounting Office and the Bureau of Accounts shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the Legislative, Executive, and Judicial Appropriation Act for the fiscal year ending June 30, 1922, if otherwise entitled thereto.

Employees allowed additional pay of \$240 a year.  
Vol. 41, p. 1308.

SEC. 317. The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal year ending June 30, 1922, to the transfer of employees to the General Accounting Office.

Transfer of department, etc., employees permitted until June 30, 1922.  
Vol. 34, p. 449.

SEC. 318. This Act shall take effect upon its approval by the President: *Provided*, That sections 301 to 317, inclusive, relating to the General Accounting Office and the Bureau of Accounts, shall take effect July 1, 1921.

Immediate effect of Act.  
*Proviso.*  
Accounting Office, etc., on July 1, 1921.

Approved, June 10, 1921.

CHAP. 19.—An Act For the public sale of post-office site on the west side of South Main Street, in the city of Bethlehem, Pennsylvania.

June 10, 1921.  
[H. R. 80.]  
[Public, No. 14.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to sell at public sale the post-office site and buildings thereon erected, situate on the west side of South Main Street, in the city of Bethlehem, Pennsylvania, after proper advertisement, and at such time and upon such terms as he may deem for the best interests of the United States, for a sum not less than \$20,000, and to execute and deliver to the purchaser the usual quit-claim deed therefor, and to deposit the proceeds derived from such sale in the Treasury of the United States as a miscellaneous receipt.

Bethlehem, Pa.  
Public building at, to be sold.

Deposit of proceeds.

Approved, June 10, 1921.

CHAP. 20.—An Act To amend section 407 of the Transportation Act of 1920.

June 10, 1921.  
[H. R. 6567.]  
[Public, No. 15.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 407 of the Transportation Act of 1920 be, and it is hereby, amended by adding thereto a new paragraph designated as paragraph (9), as follows:

Transportation Act, 1920.  
Vol. 41, p. 482, amended.

"(9) Upon application of one or more telephone companies for authority to consolidate their properties or a part thereof into a single company, or for authority for one or more such companies to acquire the whole or any part of the property of another telephone company or other telephone companies or the control thereof by the purchase of securities or by lease or in any other like manner, when such consolidated company would be subject to this Act, the commission shall fix a time and place for a public hearing upon such application and shall thereupon give reasonable notice in writing to the governor of each of the States in which the physical property affected, or any part thereof, is situated, and to the State public service commission or other regulatory body, if any, having jurisdiction over telephone companies, and to such other persons as it may deem advisable. After such public hearing, if the commission finds that the proposed consolidation, acquisition, or control will be of advantage to the persons to whom service is to be rendered and in the public interest, it shall certify to that effect; and thereupon any Act or Acts of Congress making the proposed transaction un-

Telephone companies permitted to consolidate, etc.

Public hearing of applications.

Certificate authorizing.

State powers not  
restricted.

lawful shall not apply. Nothing in this paragraph contained shall be construed as in any wise limiting or restricting the powers of the several States as now existing to control and regulate telephone companies."

Approved, June 10, 1921.

June 11, 1921.

[S. 1154.]

[Public, No. 16.]

**CHAP. 21.**—An Act For the construction of a bridge across the Des Moines River at or near the city of Dumas, Missouri.

Des Moines River.  
Atchison, Topeka  
and Santa Fe Railway  
Company may bridge,  
Dumas, Mo.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Atchison, Topeka and Santa Fe Railway Company, its successors and assigns, be, and the same is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto, across the Des Moines River, at a point suitable to the interests of navigation, at or near Dumas, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Construction.  
Vol. 34, p. 84.

Amendment.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 11, 1921.

June 14, 1921.

[S. 86.]

[Public, No. 17.]

**CHAP. 22.**—An Act To amend the Act approved December 23, 1913, known as the Federal Reserve Act.

Federal Reserve Act  
Amendment.  
Vol. 41, p. 381, amend-  
ed.

Corporations for for-  
eign financial opera-  
tions.

Capital stock.  
Mode of payment.

*Provided.*  
Installments subject  
to call after \$2,000,000  
paid in.

Included in amounts  
allowed to national  
banks.  
Vol. 38, p. 273; Vol.  
39, p. 775; Vol. 41, p.  
378.

Outstanding liabili-  
ties limited.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 25 (a) of the Federal Reserve Act, being the section added to said Act by the Act approved December 24, 1919, be amended so that the first sentence of the paragraph prescribing the amount of capital stock a corporation organized under that section is required to have and prescribing also the manner in which such capital stock must be paid in, said paragraph being the fourth paragraph following subparagraph (c) of said section, shall read as follows:

"No corporation shall be organized under the provisions of this section with a capital stock of less than \$2,000,000, one-quarter of which must be paid in before the corporation may be authorized to begin business, and the remainder of the capital stock of such corporation shall be paid in installments of at least 10 per centum on the whole amount to which the corporation shall be limited as frequently as one installment at the end of each succeeding two months from the time of the commencement of its business operations until the whole of the capital stock shall be paid in: *Provided, however,* That whenever \$2,000,000 of the capital stock of any corporation is paid in the remainder of the corporation's capital stock or any unpaid part of such remainder may, with the consent of the Federal Reserve Board and subject to such regulations and conditions as it may prescribe, be paid in upon call from the board of directors; such unpaid subscriptions, however, to be included in the maximum of 10 per centum of the national bank's capital and surplus which a national bank is permitted under the provisions of this Act to hold in stock of corporations engaged in business of the kind described in this section and in section 25 of the Federal Reserve Act as amended: *Provided further,* That no such corporation shall have liabilities outstanding at any one time upon its debentures, bonds, and promissory notes in excess of ten times its paid-in capital and surplus.

Approved, June 14, 1921.

**CHAP. 23.**—An Act Making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

June 16, 1921.  
[H. R. 6300.]  
[Public, No. 18.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, namely:

Second Deficiency Act, 1921.  
Deficiency appropriations.

#### ALIEN PROPERTY CUSTODIAN.

Alien Property Custodian.

The Secretary of War is authorized and directed to transfer, without payment therefor, to the office of the Alien Property Custodian one motor-propelled passenger-carrying vehicle.

Army passenger vehicle transferred to office of.

#### BOTANIC GARDEN.

Botanic Garden.

That portion of the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1922 which provides for the transfer of motor vehicles from the War Department to the Botanic Garden is amended to read as follows: "*Provided*, That the Secretary of War is authorized and directed to deliver to the Botanic Garden, without payment therefor, one three-ton truck and one passenger-carrying motor vehicle."

Army motor vehicles transferred to.  
Vol. 41, p. 1261, amended.  
Proviso.  
Passenger vehicle added.

#### BUREAU OF EFFICIENCY.

Efficiency Bureau.

To enable the Bureau of Efficiency to perform the duties imposed upon it by the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1921, \$10,000: *Provided*, That no person shall be employed from the appropriation for the Bureau of Efficiency for the fiscal year 1922 at a rate of compensation exceeding \$1,800 per annum except the following: One at \$7,500, one at \$6,000, one at \$4,250, six at \$4,000 each, three at \$3,600 each, one at \$3,500, two at \$3,250 each, five at \$3,000 each, two at \$2,750 each, three at \$2,400 each, and five at \$2,000 each.

Salaries and expenses.  
Vol. 39, p. 15; Vol. 41, p. 641.  
Proviso.  
Pay restriction.

#### CIVIL SERVICE COMMISSION.

Civil Service Commission.

For necessary traveling expenses, including those of examiners acting under the direction of the commission, and for expenses of examinations and investigations held elsewhere than at Washington, \$5,000.

Traveling expenses.

#### DISTRICT OF COLUMBIA.

District of Columbia.

##### GENERAL EXPENSES.

**EXECUTIVE OFFICE:** The accounting officers of the District of Columbia are authorized to pay to J. Thilman Hendrick the salary of a Commissioner of the District of Columbia for the period from September 17, 1920, to March 4, 1921, inclusive, notwithstanding the provisions of section 1761 of the Revised Statutes of the United States.

Executive office.  
J. Thilman Hendrick.  
To be paid as Commissioner.

**District of Columbia Employees' Compensation Fund:** For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the

R. S., sec. 1761, p. 313.

Employees' Compensation Fund.  
Payments from.  
Vol. 41, p. 104.

Vol. 39, p. 742.



United States suffering injuries while in the performance of their duties, and for the other purposes," approved September 7, 1916, \$600.

Rent Commission.  
Salaries and ex-  
penses.  
Vol. 41, p. 299.

Rent Commission: For an additional amount for salaries and expenses authorized by section 103, Title II, of "The Food Control and the District of Columbia Rents Act," approved October 22, 1919, \$15,000, to continue available during the life of the commission.

Free Public Library.  
Contingent expenses.

MISCELLANEOUS, FREE PUBLIC LIBRARY, INCLUDING TAKOMA PARK BRANCH: For maintenance, repairs, fuel, lighting, fitting up buildings, lunch-room equipment; purchase, exchange, and maintenance of bicycles and motor delivery vehicles; and other contingent expenses; \$750.

Miscellaneous.

#### CONTINGENT AND MISCELLANEOUS EXPENSES.

Contingent expenses.

For printing, checks, books, law books, books of reference, periodicals, stationery; surveying instruments, and so forth, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1921, \$2,500.

Car fare allowance,  
1921, increased.  
Vol. 41, pp. 843, 1156.

The limitation on the purchase of car fares from appropriations contained in the District of Columbia Appropriation Act for the fiscal year 1921 is increased from \$7,500 to \$8,000.

Superintendent of  
Weights, etc.  
Vehicle repairs.  
Advertising.

Office of Superintendent of Weights, Measures, and Markets: For maintenance and repair of four motor vehicles, \$400.

For general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, \$2,500.

Printing reports.

For printing all annual and special reports of the government of the District of Columbia for the fiscal year ending June 30, 1920, for submission to Congress, \$601.04.

Sewers.

#### SEWERS.

Cleaning, etc.

For cleaning and repairing sewers and basins, and the maintenance of motor vehicles, \$5,000.

Electrical depart-  
ment.

#### ELECTRICAL DEPARTMENT.

Contingent expenses.

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, and so forth, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1921, \$1,000.

Schools.

#### PUBLIC SCHOOLS.

Night schools.  
Additional pay to  
teachers, etc.

NIGHT SCHOOLS: For payment of teachers and janitors of night schools who served during the period from January 29 to February 28, 1921, at the rate of pay they were receiving on January 28, 1921, \$15,520.06; this payment to be in addition to the nominal sum of \$1 which such teachers and janitors received during such period.

Fuel, etc.

For fuel, gas, and electric light and power, \$20,000.

Tubercular pupils.  
*Provided.*  
Car fares.

For transportation for pupils attending schools for tubercular children, \$350, or so much thereof as may be necessary: *Provided*, That expenditures for car fares from this fund shall not be subject to the general limitations on the use of car fares covered by this Act.

Blind children.

For instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the commissioners, \$369.50, or so much thereof as may be necessary: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

*Provided.*  
Supervision.

## FIRE DEPARTMENT.

For contingent expenses, horseshoeing, furniture, fixtures, oil, medical and stable supplies, harness, blacksmithing, gas and electric lighting, flags and halyards, and other necessary items, cost of installation and maintenance of telephones in the residences of the superintendent of machinery and the fire marshal, \$4,000.

For fuel, \$4,000.

## HEALTH DEPARTMENT.

For enforcement of the provisions of an Act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and an Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907, and an Act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908, under the direction of the health officer of said District, and so forth, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1921, \$6,000: *Provided*, That the limitation of \$25,000 in such Act on the employment of personal services from the appropriation for this purpose is increased to \$31,000.

For the maintenance of one motor vehicle for use in the pound service, \$200.

For the maintenance of a dispensary or dispensaries for the treatment of persons suffering from tuberculosis and of persons suffering from venereal diseases, including payment for personal service, rent, and supplies, \$250.

## COURTS.

**JUVENILE COURT:** For compensation of jurors, \$800.

For fuel, ice, gas, laundry work, stationery, printing, books of reference, periodicals, typewriters and repairs thereto, binding and rebinding, preservation of records, mops, brooms, and buckets, removal of ashes and refuse, telephone service, traveling expenses, and other incidental expenses not otherwise provided for, \$375.

**MUNICIPAL COURT:** For contingent expenses, including books, law books, books of reference, fuel, light, telephone, blanks, dockets, and all other necessary miscellaneous items and supplies, for the fiscal years that follow:

For 1921, \$1,000;

For 1922, \$1,000.

For additional employees from June 1, 1921, to June 30, 1922, inclusive, at annual rates of compensation as follows: Jury clerk, \$1,600; four enrolling clerks, at \$1,600 each; stenographer and typist, \$1,400; in all, \$10,183.34.

For compensation of jurors from June 1, 1921, to June 30, 1922, \$10,000.

For lodging, meals, and accommodations for jurors and deputy United States marshals, while in attendance upon them, when ordered by the court, from June 1, 1921, to June 30, 1922, \$100.

For alterations and repairs to buildings, \$1,000, to continue available until June 30, 1922.

For furniture and equipment, \$1,200, to continue available until June 30, 1922.

Police court: For compensation of jurors, fiscal year 1919, \$1,799.

Fire department.

Contingent expenses.

Fuel.

Health department.

Prevention of contagious diseases, etc.  
Vol. 20, p. 635.  
Vol. 34, p. 889.

Vol. 35, p. 126.

*Proviso.*  
Increase for personal services, 1921.  
Vol. 41, p. 889.

Vehicle for pound.

Tuberculosis and venereal dispensaries.

Courts.

Juvenile court.  
Jurors.  
Contingent expenses.

Municipal court.  
Contingent expenses.

For 1922.  
Additional employees.

Jurors.

Lodging, meals, etc.

Building repairs.

Furniture.

Police court.  
Jurors.

**Lunacy writs.**

**WRITS OF LUNACY:** For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, including the employment of an alienist at not exceeding \$1,500 per annum, and a clerk at \$900 who shall be a stenographer and typewriter, \$1,000.

**Courts and prisons.****COURTS AND PRISONS.****Support of convicts, etc.**

**SUPPORT OF CONVICTS:** For support, maintenance, and transportation of convicts transferred from the District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture; to be expended under the direction of the Attorney General, \$40,000.

**Supreme court. Witness fees. R. S., sec. 850, p. 160.**

**FEES OF WITNESSES, SUPREME COURT:** For fees of witnesses and payment of the actual expenses of witnesses in said court, as provided by section 850, Revised Statutes of the United States, \$3,500.

**Bailiffs, etc.**

**PAY OF BAILIFFS:** For not exceeding one crier in each court, of office deputy marshals who act as bailiffs or criers, and for expenses of meals and lodging for jurors in United States cases and of bailiffs in attendance upon same when ordered by the court, \$1,500.

**Miscellaneous.**

**MISCELLANEOUS EXPENSES:** For such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, including also such expenses other than for personal services as may be authorized by the Attorney General for the Court of Appeals, District of Columbia, \$5,000.

**Charities and corrections.****CHARITIES AND CORRECTIONS.****National Training School for Girls.**

**NATIONAL TRAINING SCHOOL FOR GIRLS:** For groceries, provisions, light, fuel, soap, oil, lamps, and so forth, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1921, \$5,000.

**Medical charities.****MEDICAL CHARITIES.****Tuberculosis Hospital.**

**TUBERCULOSIS HOSPITAL:** For provisions, fuel, forage, harness and vehicles and repairs to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, books, and periodicals not to exceed \$50, temporary services not to exceed \$1,000, and other necessary items, \$3,000.

**Columbia Hospital, etc.**

**COLUMBIA HOSPITAL AND LYING-IN ASYLUM:** For expenses of heat, light, and power required in and about the operation of the hospital, to be expended under the direction of the Architect of the Capitol, \$3,000.

**Child-caring institutions.****CHILD-CARING INSTITUTIONS.****Feeble-minded children.**

**BOARD OF CHILDREN'S GUARDIANS:** For maintenance of feeble-minded children (white and colored), \$2,000.

**Board, etc., of children.**

For board and care of all children committed to the guardianship of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, \$5,000.

**Industrial Home School.**

**INDUSTRIAL HOME SCHOOL:** For maintenance, including care of horses, purchase and care of wagon and harness, \$5,000.

## TEMPORARY HOMES.

**HOSPITAL FOR THE INSANE:** For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, \$85,000. Support of indigent insane.

## JUDGMENTS.

Judgments.

For payment of judgments, including costs, rendered against the District of Columbia, as set forth in House Documents Numbered 6, 18, and 66 and Senate Document Numbered 24 of the Sixty-seventh Congress, \$22,709. 91, together with a further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment. Payment of.

## REFUNDS.

Refund of erroneous collections.

The commissioners are authorized to pay from the appropriation "Refund of erroneous collections, District of Columbia, fiscal year 1921," to Alex Mosher, junior, the sum of \$25, and to Mrs. Ella M. Chumm the sum of \$56.39. Alex Mosher.  
Ella M. Chumm.

## AUDITED CLAIMS.

Audited claims.

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, being for the service of the fiscal year 1918 and prior years, unless otherwise stated: Payment of, certified by District accounting officers.

Vol. 18, p. 110.

For Public Utilities Commission, expenses, fiscal year 1920, \$383.57; Utilities Commission.

For Public Utilities Commission, expenses, \$1.90;

For general advertising, fiscal year 1920, \$278.66;

For contingent and miscellaneous expenses of District offices, \$16.70; Advertising.  
Contingent, etc., expenses.

For coroner's office, expenses, \$102;

For field party, and so forth, vault space, \$3.35;

For Free Public Library, contingent expenses, \$5.56;

For construction and repair of bridges, \$7.10;

For repairs to streets and avenues, \$837.63;

For streets, cleaning, \$6.60;

For Rock Creek Park, care and improvement, \$1.44;

Public schools: For kindergarten supplies, fiscal year 1920, \$3.09; for textbooks and supplies, \$275.84; for fuel, gas, and electric light and power, \$2,643.40; for manual training, \$123.48; for school gardens, \$6.50; for chemical and biological laboratories, \$7.20; for contingent expenses, \$3; for repairs and improvements to buildings and grounds, \$97.18; Coroner's office.  
Vault space.  
Public Library.  
Bridges.  
Streets, etc.

For Metropolitan police, contingent expenses, \$1.22;

Fire Department: For repairs to engine houses, fiscal year 1920, \$47.64; for contingent expenses, \$2.88;

Health department: For contagious-disease service, expenses, \$15.57; for maintenance of chemical laboratory, 51 cents;

For maintenance of public crematorium, \$9.42;

Courts: For reports of opinions, court of appeals, \$55; for juvenile court, meals for jurors and bailiffs, fiscal year 1920, \$3.85; municipal court—for contingent expenses, fiscal year 1919, \$335.12; for contingent expenses, \$33.28; for writs of lunacy, fiscal year 1920, \$212.10; Rock Creek Park.  
Schools.

For emergency fund, \$44.64;

For support of prisoners, \$4; Police.  
Fire department.  
Health department.  
Crematorium.  
Court expenses.

Emergency fund.  
Support of prisoners.

Home for Aged and Infirm.

Insane.

Workhouse.

Home for the Aged and Infirm: For maintenance, fiscal year 1920, \$259.11; for maintenance, \$528.91;

For Hospital for the Insane, fiscal year 1920, \$8,163.71;

Workhouse: For maintenance, \$49.06; for fuel for maintenance and operation, \$3.45;

In all, audited claims, \$14,573.67.

Proportion from District revenues, 1921, 1922.

For 1920, and prior years.

Sixty per centum of the foregoing sums for the District of Columbia for the service of the fiscal years ending June 30, 1921, and June 30, 1922, shall be paid out of the revenues of the District of Columbia, and 40 per centum out of the Treasury of the United States; and such sums as relate to the fiscal year 1920, and prior fiscal years, shall be paid 50 per centum out of the revenues of the District of Columbia and 50 per centum out of the Treasury of the United States.

Vocational Education Board.

#### FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Rehabilitation of discharged, disabled soldiers, etc.  
Vol. 40, pp. 617, 1179.  
Vol. 41, p. 159.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the Act entitled "An Act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$15,000,000: *Provided*, That payments for the support and maintenance of persons dependent upon any trainee of the Board as provided by section 2 of the Act may, in the discretion of the Board, be paid either direct to such dependent or dependents or to the trainee upon whom they are dependent: *And provided further*, That any person entitled under the provisions of the Vocational Rehabilitation Act, as amended, to take vocational training must make application therefor within eighteen months from the date of the approval of this Act.

Provisions.  
Payment to dependents or trainees.

Time limit for applications.

Federal Power Commission.

#### FEDERAL POWER COMMISSION.

Printing allowance.  
Vol. 41, p. 1380.

Not exceeding \$5,000 of the appropriation of \$100,000 for the Federal Power Commission, contained in the Sundry Civil Appropriation Act for the fiscal year 1922, may be used for necessary printing and binding.

Interstate Commerce Commission.

#### INTERSTATE COMMERCE COMMISSION.

Henry Jones Ford.  
Pay as Commissioner.

For payment to Henry Jones Ford, on account of services rendered as Interstate Commerce Commissioner from June 11, 1920, to March 4, 1921, \$8,800.

Library of Congress.

#### LIBRARY OF CONGRESS.

Card indexes.

**DISTRIBUTION OF CARD INDEXES:** For services of assistants at salaries less than \$1,000 per annum and for piecework and work by the hour, including not exceeding \$500 for freight charges, expressage, traveling expenses connected with such distribution, and expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, \$2,700.

Shipping Board.

#### SHIPPING BOARD.

Increased pay to commissioners, 1920.  
Vol. 41, pp. 180, 990.

Not to exceed \$787.50 of the unexpended balance of the appropriation for salaries of commissioners for the fiscal year 1920 is made available for the payment of difference in compensation between the

rates of \$7,500 and \$12,000 per annum to such commissioners as were in office on June 5, 1920, if otherwise entitled thereto.

Not to exceed \$3,750 of the unexpended balance of the appropriation for salaries of commissioners for the fiscal year 1921 is made available for the payment of difference in compensation between the rates of \$7,500 and \$12,000 per annum to such commissioners as were in office June 5, 1920, if otherwise entitled thereto.

Not to exceed \$10,500 of the unexpended balance of the appropriation for salaries of commissioners for the fiscal year 1921 is made available for the payment of compensation to the entire board of seven members created under the Merchant Marine Act, 1920, at the rate of \$12,000 per annum, and also for the compensation of William S. Benson, as agent of the President, at the rate of \$12,000 per annum, from March 4, 1921, to the date of the termination of his services as such agent.

Not to exceed \$17,000 of the unexpended balance of the appropriation for salaries of commissioners for the fiscal year 1921 is made available, and in addition thereto the sum of \$3,633.33 is appropriated, for payment of salaries of the following commissioners at the rate of \$12,000 per annum for the period while acting as such commissioners, notwithstanding their nominations were not confirmed by the Senate: William S. Benson, Frederick I. Thompson, John A. Donald, Joseph N. Teal, Guy D. Goff, Charles Sutter, Chester H. Rowell.

#### EMERGENCY SHIPPING FUND.

Toward the completion of vessels now under construction, \$36,-852,000: *Provided*, That this appropriation shall be available for any authorized expenditure of the United States Shipping Board Emergency Fleet Corporation in an amount not to exceed the sums expended by such corporation from April 1, 1921, to the date of the approval of this Act on account of vessels under construction during that period.

For the completion of vessels now under construction, fiscal year 1922, \$25,000,000.

#### DEPARTMENT OF STATE.

##### FOREIGN INTERCOURSE.

**RELIEF AND PROTECTION OF AMERICAN SEAMEN:** For the relief and protection of American seamen in foreign countries, and in the Panama Canal Zone, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Porto Rico, and the Philippine Islands, \$100,000.

**Contingent Expenses, Foreign Missions:** The Secretary of State is authorized to make payment of rent for dispatch agencies in the United States from the appropriation for "Contingent expenses, foreign missions," made by the Diplomatic and Consular Appropriation Act approved March 2, 1921, notwithstanding the provision of section 2 of such Act.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, and so forth, including the same objects specified under this head in the Diplomatic and Consular Appropriation Act for the fiscal year 1921, \$92,000.

For 1921.

Board created under Merchant Marine Act. Vol. 41, pp. 891, 990.

William S. Benson.

Salaries of commissioners not confirmed by the Senate.

Emergency shipping fund.

Construction of vessels.  
*Provided*. Available for prior expenses.

Completing vessels.

Department of State.

Foreign intercourse.

Relief and protection of American seamen.

Dispatch agents.  
Rent allowed.  
Vol. 41, p. 1217.

Contingent expenses, missions.

## Treasury Department.

## Office of Secretary.

## TREASURY DEPARTMENT.

## OFFICE OF THE SECRETARY.

Additional officers,  
etc., for 1922.

For the salaries of officers and employees during the fiscal year 1922 at annual rates as follows (now being paid from the appropriation "Expenses of Loans"):

Division of Deposits.

Commissioner of the Public Debt, \$6,000;

Commissioner of Accounts and Deposits, \$6,000;

Division of Deposits: Chief of division, \$3,500; assistant chief of division, \$2,500; clerks—one \$2,250, one \$2,000, one \$1,800, one \$1,600, one \$1,400; messenger, \$840; assistant messenger, \$720; in all, \$16,610.

Bookkeeping and  
Warrants Division.  
Transferred force,  
1922.

Division of Bookkeeping and Warrants: For the force to be transferred to this division on account of the transfer of duties from the Division of Public Moneys, at annual rates of compensation during the fiscal year 1922, as follows: Assistant chief of division, \$2,500; clerks—two at \$2,000 each, three at \$1,800 each, three at \$1,600 each, two at \$1,400 each, two at \$1,200 each; two messengers, at \$840 each; assistant messenger, \$720; in all, \$24,300.

Expenses under  
specified laws.  
Vol. 41, p. 456.  
Vol. 40, p. 451.

For expenses incident to the discharge of the duties imposed upon the Secretary of the Treasury by the Transportation Act, 1920, and the Federal Control Act, approved March 21, 1918, as amended, and for expenses arising in connection with loans and credits to foreign Governments under the Liberty Loan Acts and the Victory Liberty Loan Act and in connection with credits granted or conditions entered into under the Act providing for the relief of populations in Europe and contiguous countries, including personal services in the District of Columbia, fiscal year 1922, \$25,000.

Vol. 40, pp. 35, 289,  
304, 341, 1312.

Vol. 41, p. 548.

Expenses of loans.  
Vol. 41, p. 1266.  
Appropriation avail-  
able for war savings  
stamps, etc., expenses  
by Commissioner of  
Public Debt, and Post  
Office Department.  
Vol. 40, p. 1035.Public debt issues  
after June 30, 1921.  
Expenses of, to be  
paid as authorized, in  
Liberty Bond Acts.  
Vol. 40, pp. 37, 292.

Vol. 41, p. 646.

Proviso.  
Time limit.

The appropriation for "Expenses of loans," contained in the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1922, is hereby made available for expenditures in the Office of the Commissioner of the Public Debt and for expenditures in the Post Office Department in connection with the distribution, sale, and keeping of accounts of war savings and thrift stamps, as provided in the Deficiency Appropriation Act approved November 4, 1918. The appropriation for "Expenses of loans" contained in section 8 of the First Liberty Bond Act and in section 10 of the Second Liberty Bond Act, as amended, is hereby made applicable to any operations arising in connection with any public debt issues made subsequently to June 30, 1921, pursuant to the authority contained in the First Liberty Bond Act or the Second Liberty Bond Act, as amended and supplemented, the provisions of the Legislative, Executive, and Judicial Appropriation Act, approved May 29, 1920, to the contrary notwithstanding: *Provided*, That with respect to operations on account of any such issue hereafter made such appropriations shall be available only until the close of the fiscal year next following the fiscal year in which such issue was made.

Comptroller of the  
Currency.

## OFFICE OF COMPTROLLER OF THE CURRENCY.

Redemption of Fed-  
eral reserve and na-  
tional currency.  
Additional employ-  
ees, 1922.

For expenses of Federal reserve and national currency (to be reimbursed by the Federal reserve and national banks): For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Clerk counters—three at \$1,400 each, three at \$1,200 each; seven counters at \$1,000 each; in all, \$14,800.

## INTERNAL REVENUE.

## Internal revenue.

For the purchase, at not more than par and accrued interest, of second Liberty loan 4 per cent bonds, to the face value of \$1,000, and for the payment of an amount of interest equivalent to the interest on \$1,000 face amount of such bonds from November 15, 1917, to the interest-payment date next preceding the delivery of such bonds, for the relief of the estate of Joseph Matthews, of Solvay, New York, \$1,050, or so much thereof as may be necessary.

Joseph Matthews.  
Relief of estate of.

For expenses to enforce the provisions of the "National Prohibition Act" and the Act entitled "An Act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon, all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914, as amended by the "Revenue Act of 1918," including the same objects specified under this head in the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1921, \$200,000.

Enforcing National  
Prohibition and Nar-  
cotics Acts.  
Vol. 41, p. 306.  
Vol. 38, p. 788; Vol.  
40, p. 1130.

## BUREAU OF WAR RISK INSURANCE.

War Risk Insurance  
Bureau.

Salaries: Not to exceed \$75,000 of the appropriation for "stationery and minor office supplies, fiscal year 1921," is made available for "salaries and expenses of employees engaged in field investigations and expenses of not more than eight temporary branch offices" during such fiscal year.

Field expenses.  
Transfer of allotment  
to, fiscal year 1921.

The third proviso of the paragraph making appropriations for the Bureau of War Risk Insurance, as contained in the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1922, is hereby amended to read as follows: "Provided further, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: Three at not exceeding \$7,500 each, nine at not exceeding \$5,000 each, twenty-eight at not exceeding \$4,500 each, thirty-six at not exceeding \$4,000 each, forty-two at not exceeding \$3,500 each, forty-nine at not exceeding \$3,000 each, sixty-eight at not exceeding \$2,500 each, and two hundred and fifteen at not exceeding \$2,000 each."

Pay restriction, 1922,  
Vol. 41, p. 1267.  
amended.

Modification of al-  
lowances.

Number increased.

Medical and Hospital Services: For medical, surgical, and hospital services, medical examinations, funeral expenses, traveling expenses, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$8,710,-272.

Medical and hos-  
pital services for ben-  
eficiaries.

Hospital Facilities: The following provision contained in the last paragraph of the Act entitled "An Act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes," approved March 4, 1921, to wit, "of which sum not to exceed \$6,100,000 shall be used for remodeling or extending existing plants," is hereby repealed. The total amount appropriated by the said Act shall be available for the purposes specified in the said Act and allotments may be made from said amount at the discretion of the Secretary of the Treasury to the Board of Managers of the National Home for Disabled Volunteer Soldiers to be transferred to its credit and disbursed by it under the approval and direction of the Secretary of the Treasury for the purposes of the said Act: *Provided*, That the surplus property not required by the War Department mentioned in said Act and any suitable surplus property of the Navy Department not required for its use shall be transferred for use in constructing, equipping, and supplying any of such hospitals.

Hospital facilities for  
ex-soldiers, etc.  
Restriction on  
amount for remodel-  
ing, etc., plants, re-  
pealed.  
Vol. 41, p. 1365.

Allotments to Volun-  
teer Soldiers' Home.

Proviso.  
Surplus Army and  
Navy property to be  
transferred.



## Public buildings.

## PUBLIC BUILDINGS.

New York, N. Y.  
Quarantine station.

New York, New York, Quarantine Station: For improvements, including the water supply system, power plant, and additional barracks, \$500,000, to continue available during the fiscal year 1922.

Baltimore, Md.  
Quarantine station.

Baltimore, Maryland, Quarantine Station: For improvements, including rebuilding of wharves, to continue available during the fiscal year 1922, \$25,000.

Boston, Mass.  
Quarantine station.

Boston, Massachusetts, Quarantine Station: For improvements, including additional barracks, \$150,000, to continue available during the fiscal year 1922.

General expenses.  
Amount for transporting supplies, etc., increased.  
Vol. 41, p. 977.

General expenses: The limitation upon the amount which may be expended from the appropriation "General expenses of public buildings, fiscal year 1921," for transporting drawings, miscellaneous supplies, and so forth, is increased from \$10,000 to \$20,000.

Operating force.

Operating force: For such personal services as the Secretary of the Treasury may deem necessary in connection with the care, maintenance, and repair of all public buildings under the control of the Treasury Department, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$35,000.

Furniture, etc.

Furniture and repairs of furniture: For furniture, carpets, and repairs of same, for completed and occupied public buildings under the control of the Treasury Department, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$30,000.

Birmingham, Ala.  
Furniture.

Birmingham, Alabama, post office and courthouse (new): For furniture, \$55,000.

Columbia, S. C.  
Furniture.

Columbia, South Carolina, post office: For furniture, \$23,000.

Honolulu, Hawaii.  
Furniture.

Honolulu, Hawaii, post office, courthouse, and customhouse: For furniture, \$65,000.

Billings, Mont.  
Furnishings.

Billings, Montana, Federal building: For furnishings for court room and chambers for judge, clerk, marshal, attorney, and jury, \$3,200.

Operating supplies.

Operating supplies: For fuel, steam, gas for lighting and heating purposes, water, ice, lighting supplies, electric current for lighting and power purposes, telephone service, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$550,000.

Public Health Service.

## PUBLIC HEALTH SERVICE.

Prevention of epidemics.

Prevention of epidemics: To enable the President, in case only of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, Chinese plague or black death, trachoma, influenza, or infantile paralysis, to aid State and local boards, or otherwise, in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, \$309,000: *Provided*, That a detailed report of the expenditures hereunder shall annually hereafter be submitted to Congress.

*Provided*.  
Detailed report.

Quarantine stations.  
Fees to be promulgated.

On and after July 1, 1921, the Secretary of the Treasury is authorized and directed to promulgate such a schedule of fees to be charged vessels at each of the national quarantine stations as will be fair and reasonable for the services rendered by each station: *Provided*, That this authority shall not be applicable to any quarantine station where the fees are now fixed by law.

*Provided*.  
Restriction.

## DIVISION OF LOANS AND CURRENCY.

Loans and Currency  
Division.

Distinctive paper for United States securities: For additional amount necessary to complete the purchase of one hundred and thirty-six million sheets of distinctive paper for United States currency, national-bank currency, and Federal reserve bank currency, including transportation of paper, traveling, mill, and other necessary expenses, \$56,708.13.

Distinctive paper.  
Additional payment  
for.

## ENGRAVING AND PRINTING.

Engraving and  
printing.

The limitation for the fiscal year 1921 as to the number of delivered sheets of United States currency, national-bank notes, and Federal reserve currency is increased from one hundred and twenty-three million two hundred and fifty thousand to one hundred and thirty-six million.

Number of sheets for  
currency, etc., notes,  
1921, increased.  
Vol. 41, p. 880, amend-  
ed.

## COAST GUARD.

Coast Guard.

Not to exceed \$20,000 of the amount appropriated for the fiscal year 1921 under the subhead "Rations" is transferred and made available for expenditure during that fiscal year under the subhead "Contingent expenses."

Transfer of allotment  
to contingent expenses.  
Vol. 41, p. 879.

## CONTINGENT EXPENSES, TREASURY DEPARTMENT.

For purchase of file holders and file cases for use of the Coast Guard and the accounting bureaus of the department, \$2,500.

File holders, etc.

## WAR DEPARTMENT.

War Department.

Chickamauga and Chattanooga National Military Park: For cost of examination and preparation of report upon the improvement and maintenance of the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, as directed in an Act approved February 2, 1921, \$500.

Chickamauga and  
Chattanooga Park.  
Missionary Ridge  
boulevard on.

SHILOH NATIONAL MILITARY PARK: For continuing the establishment of the park, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1922, \$3,000.

Vol. 41, p. 1095.

Shiloh Park.  
Establishing.

Barracks and Quarters, Insular Possessions: The unobligated balance of the appropriation for continuing construction of the necessary accommodations for the Seacoast Artillery and for temporary cantonments for overseas garrisons in the Philippine Islands, contained in the Fortification Appropriation Act for the fiscal year 1921, is continued and made available for the same purposes until June 30, 1922.

Philippine Islands.  
Barracks and quar-  
ters in.  
Balance continued.  
Vol. 41, p. 611.

Engineer Department: The sum of \$110,000 of the unexpended amount of the appropriation "Engineer operations in the field, 1919," shall remain upon the books of the Treasury to the credit of this appropriation until June 30, 1922, to permit payments to be made to the Pittsburgh Plate Glass Company for searchlight mirrors under its contract therefor dated July 30, 1918.

Engineer Depart-  
ment.  
Pittsburgh Plate  
Glass Company.

## DEPARTMENT OF JUSTICE.

Department of Jus-  
tice.

## CONTINGENT EXPENSES.

Contingent expenses.

For furniture and repairs, including carpets, file holders, and cases, \$7,500.

Furniture, etc.

For books for law library of the department, including their exchange, \$500.

Miscellaneous.

For stationery for the department and its several bureaus, \$2,500.  
For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of buildings, care of grounds, books of reference, periodicals, typewriters and adding machines and exchange of same, street car fares not exceeding \$200, and other necessities, directly ordered by the Attorney General, for the fiscal years that follow:

For 1920, \$4,352.23;

For 1921, \$15,000.

Automobile.

For the purchase of an automobile for the official use of the Attorney General, in exchange for old car now in use, \$6,857.

Library stacks.

For purchase of library stacks, \$1,900.

Miscellaneous.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

Detection and prosecution of crimes.

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$150,000, including not to exceed \$25,000 in addition to the amount heretofore authorized for necessary employees at the seat of government.

Federal Reporter Digest.  
Volume 12.

Federal Reporter Digest: For one hundred and eighty-one copies of volume 12 of the Federal Reporter Digest, to continue sets now furnished various officials, \$905.

Supreme Court Reports.  
Volume 253.

For three hundred copies of volume 253 of the Supreme Court Reports, being the allotment under the law for the Department of Justice, \$525.

Traveling, etc., expenses.

Traveling and miscellaneous expenses: For traveling and other miscellaneous and emergency expenses, including advances made by the disbursing clerk, authorized and approved by the Attorney General, to be expended at his discretion, the provisions of section 3648, Revised Statutes, to the contrary notwithstanding, fiscal year 1920, \$55.50.

Advances allowed.

R. S., sec. 3648, p. 718.

Digest of Opinions of the Attorney General.  
Expenses of editing, etc.  
R. S., sec. 1765, p. 718.  
Vol. 39, p. 120.

To enable the Attorney General to employ, at his discretion and irrespective of the provisions of section 1765 of the Revised Statutes, section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, or other law, such competent person or persons as will in his judgment best perform the service, to edit and prepare for publication and superintend the printing of a supplemental digest of the Opinions of the Attorneys General, covering volumes 26 to 32, inclusive, 1906-1921, \$1,500.

Judicial.

JUDICIAL.

Edward Douglass White.  
Pay to widow of late Chief Justice.

To pay the widow of Edward Douglass White, late Chief Justice of the United States, \$15,000.

United States Courts.

UNITED STATES COURTS.

Assistants in special cases.

For assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases (such counsel shall not be required to take oath of office in accordance with section 366, Revised Statutes of the United States), to be available for expenditure in the District of Columbia, for the fiscal years that follow:

For 1919, \$300;

For 1921, \$150,000.

Foreign counsel.

R. S., sec. 366, p. 62.

For salaries of clerks of United States district courts, their deputies, and other assistants, expenses of travel and subsistence, and other expenses of conducting their respective offices, in accordance with the provisions of the Act approved February 26, 1919, \$5,000: *Provided*, That clerks of United States district courts, their deputies and assistants, who are or may be appointed United States commissioners, may receive compensation for both offices in an aggregate amount not exceeding the rate of \$2,000 per annum: *Provided further*, That the acceptance of payment for personal services from private litigants shall be deemed a vacation of their appointments as clerks, deputy clerks, or clerical assistants.

For fees of United States commissioners and justices of the peace acting under section 1014, Revised Statutes of the United States, \$75,000.

For fees of jurors, \$100,000.

For supplies, including the exchange of typewriting and adding machines for the United States courts and judicial officers, to be expended under the direction of the Attorney General, \$15,000.

For support of United States prisoners, including necessary clothing and medical aid, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$50,000.

For such miscellaneous expenses as may be authorized by the Attorney General for the United States courts and their officers, including so much as may be necessary in the discretion of the Attorney General for such expenses in the district of Alaska, for the fiscal years that follow:

For 1920, \$1,059.88;

For 1921, \$40,000: *Provided*, That there shall be allowed under this appropriation the amounts aggregating \$72.68, paid by the United States district attorney for the middle district of Tennessee from his personal resources, incident to effecting the attendance of witnesses essential to the prosecution of cases involving the embezzlement of platinum belonging to the Government.

Atlanta, Georgia, Penitentiary: For clothing, transportation, and traveling expenses, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921 for the penitentiary at Leavenworth, Kansas, \$5,000.

For miscellaneous expenditures, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1920 for the penitentiary at Leavenworth, Kansas, \$463.11.

The accounting officers of the Treasury are authorized and directed to allow in the account of John J. Mitchell, as United States marshal for the district of Massachusetts, for the quarter ending December 31, 1919, charges covering disbursements aggregating \$19.15 for the purchase of folders and the printing of cash slips, all for the use of the clerk of the United States district court for said district.

The accounting officers of the Treasury are authorized and directed to allow under the appropriation "Salaries, fees, and expenses of marshals, United States courts, 1921," the statutory compensation of Joseph E. Lachance for services as United States marshal for the district of New Hampshire from January 1, 1921, to March 7, 1921.

The accounting officers of the Treasury are authorized and directed to allow in the account of O. T. Wood, as United States marshal for the district of Kansas for the quarter ended December 31, 1919, charges aggregating \$30.05, covering the excess over \$5 per day on account of actual expenses of subsistence paid to J. C. Shearman, who served the Government as an expert in handwriting.

BOOKS FOR JUDICIAL OFFICERS: For purchase and rebinding of law books, including the exchange thereof, for United States judges,

Clerks.  
Vol. 40, p. 1182.

*Proviso.*  
Pay allowed, if appointed commissioners.

Office vacated if pay received from private litigants.

Commissioners.  
R. S., sec. 1014, p. 180.

Jurors.  
Supplies.

Support of prisoners.

Miscellaneous.

*Proviso.*  
Allowance to attorney for Tennessee middle district.

Atlanta, Ga., penitentiary.  
Clothing, etc.

Miscellaneous.

John J. Mitchell.  
Credit in accounts.

Joseph E. Lachance.  
Pay allowed.  
Vol. 41, p. 923.

O. T. Wood.  
Credit in accounts.

Books for judicial officers..

*Provided.*  
Transmittal to suc-  
cessors.

district attorneys, and other judicial officers, including the nine libraries of the United States circuit court of appeals, to be expended under the direction of the Attorney General: *Provided*, That such books shall in all cases be transmitted to their successors in office, all books purchased thereunder to be marked plainly, "The property of the United States," for the fiscal years that follow:

For 1918, \$10;

For 1920, \$258.35.

Post Office Depart-  
ment.

## POST OFFICE DEPARTMENT.

Contingent expenses.  
Heating, lighting,  
etc.

**CONTINGENT EXPENSES, POST OFFICE DEPARTMENT:** For fuel and repairs to heating, lighting, ice, and power plant, including repairs to elevators, purchase and exchange of tools, and electrical supplies, and removal of ashes, \$10,000.

Miscellaneous.

For miscellaneous items, including purchase, exchange, and repair of typewriters, adding machines, and so forth, including the same objects specified under this head in the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1921, \$1,000, of which sum not exceeding \$500 may be expended for telephone service, and not exceeding \$500 may be expended for the purchase and exchange of law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the department.

Government Print-  
ing Office.  
Heating, etc., City  
Post Office.

For reimbursement of the Government Printing Office for the cost of furnishing steam for heating and electric current for lighting and power to the Post Office Department Building at Massachusetts Avenue and North Capitol Street, District of Columbia, \$17,000, or so much thereof as may be necessary.

Postal service.

## POSTAL SERVICE.

### OUT OF THE POSTAL REVENUES.

First Assistant Post-  
master General.

#### OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL.

Vehicle service.

For vehicle allowance, the hiring of drivers, the rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for, and the operation of, screen-wagon and city delivery and collection services, \$1,500,000.

Second Assistant  
Postmaster General.

#### OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL.

Aircraft service, New  
York to San Francisco.

For the operation and maintenance of the aeroplane mail service between New York and San Francisco, including the same objects specified under this head in the Post Office Appropriation Act for the fiscal year 1921, \$125,000.

Fourth Assistant  
Postmaster General.

#### OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL.

Canceling, labor sav-  
ing, etc., machines.

For rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices, and so forth, including the same objects specified under this head in the Post Office Appropriation Act for the fiscal year 1921, \$3,500.

### AUDITED SETTLEMENTS.

Special delivery.  
Fees.

For fees to special-delivery messengers for the following fiscal years:

For 1919, \$14.16;

For 1920, \$3,108.18.

## NAVY DEPARTMENT.

Navy Department.

**Bureau of Yards and Docks:** The limitation specified in the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1921 on expenditures for the pay of skilled draftsmen and other technical services in the Bureau of Yards and Docks from appropriations and allotments under said bureau is increased from \$200,000 to \$202,838.65.

Bureau of Yards and Docks.  
Allowance for technical services, 1921, increased.  
Vol. 41, p. 1237, amended.

**Damage claims:** To pay the claims adjusted and determined by the Navy Department under the Naval Appropriation Act for the fiscal year 1911 on account of damages occasioned to private property by collisions with vessels of the United States Navy and for which naval vessels were responsible, certified to Congress in House Document Numbered 26 of the present session, \$5,421.05.

Collision damage claims.  
Vol. 36, p. 607.

## NAVAL ESTABLISHMENT.

Navy.

## PAY, MISCELLANEOUS.

Pay, miscellaneous.

For commissions and interest, transportation of funds, exchange, and so forth, including the same objects specified under this head in the Naval Appropriation Act for the fiscal year 1921, \$750,000.

Designated expenses.

The Secretary of the Treasury is authorized to pay to Mrs. T. E. S. Cates, out of any funds in the Treasury not otherwise appropriated, the sum of \$63 for rent of quarters furnished to Lieutenants James E. Maher and L. E. Myers of the United States Navy while on submarine duty.

Mrs. T. E. S. Cates.  
Payment to.

The Secretary of the Navy is authorized to pay from the appropriation "Pay, miscellaneous, 1920," the sum of \$42.30 to the Boston Post, and the sum of \$28.08 to the Boston Herald, both of Boston, Massachusetts, for their services in advertising for employees for the United States naval hospital, Portsmouth, New Hampshire, during the months of March and April, 1920.

Advertising.  
Boston Post, and Herald.

## PUBLIC WORKS, BUREAU OF YARDS AND DOCKS.

Public works.

**NAVY YARD, NORFOLK, VIRGINIA:** For dry dock and accessories: To enable the Secretary of the Navy to pay the George Leary Construction Company, under contract numbered 2258, and changes thereto, for completion of Dry Dock Numbered Four, in full compensation for the construction of such dry dock, \$167,500; and to the Giant Portland Cement Company, subcontractor, for loss sustained by it on cement furnished for this work, \$75,517.94, or so much thereof as may be shown by audit of the subcontractor's books by the Navy Department; in all, \$243,017.94.

Norfolk, Va., dry dock.  
George Leary Construction Company.

Giant Portland Cement Company.

## BUREAU OF SUPPLIES AND ACCOUNTS.

Bureau of Supplies and Accounts.

**MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS:** The limitation specified under this head in the Naval Appropriation Act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting department of the navy yards and naval stations and disbursing offices for the fiscal year 1921, is further increased by \$400,000.

Maintenance.  
Allowance for chemical, etc., services, 1921, increased.  
Vol. 41 p. 826, amended.

**FREIGHT, BUREAU OF SUPPLIES AND ACCOUNTS:** For all freight and express charges pertaining to the Navy Department and its bureaus, except the transportation of coal for the Bureau of Supplies and Accounts, \$1,500,000.

Freight.

**FUEL AND TRANSPORTATION:** For coal and other fuel for steamers' and ships' use, including expenses of transportation, storage, and handling the same; maintenance and general operation of machinery

Fuel and transportation.

of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, \$6,000,000.

James W. Elwell  
and Company.  
Refund to.

For refund to James W. Elwell and Company, charterers of the United States ship *Sterling*, the excess freight charges collected from A. Iseline and Company on ten thousand bags of coffee and six hundred and seventy-two bags of castor beans, arriving in New York on September 25, 1918, which sum was turned over to the Navy and deposited in the Treasury to the credit of "Miscellaneous receipts," \$163.79.

International Mercantile Company.  
Reimbursement to.

For reimbursement to the International Mercantile Company for shortage in a shipment of green peas, cargo of the steamship *Harrisburg*, arriving at Liverpool, England, from New York, July 2, 1918, freight on the full amount of the shipment having been turned over to the Navy and deposited in the Treasury to the credit of "Miscellaneous receipts," \$121.52.

Interior Department.

## DEPARTMENT OF THE INTERIOR.

Capitol Buildings.

Capitol Buildings: For work at the Capitol and for general repairs thereof, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$22,000.

Capitol, etc.,  
grounds.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings, \$5,000.

General Land Office.  
Additional employees, 1922.

GENERAL LAND OFFICE: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Law examiners—four at \$2,000 each, eight at \$1,800 each, twenty at \$1,600 each; eight clerks at \$1,400 each; in all, \$65,600.

Public lands.

## PUBLIC LANDS SERVICE.

Oregon and California Railroad lands.  
Protecting.

For the protection of the so-called Oregon and California Railroad lands and Coos Bay Wagon Road lands: To enable the Secretary of the Interior, with the cooperation of the Secretary of Agriculture or otherwise, as in his judgment may be most advisable, to establish and maintain a patrol to prevent trespass and to guard against and check fires upon the lands vested in the United States by the Act approved June 9, 1916, and the lands known as the Coos Bay Wagon Road lands involved in the case of Southern Oregon Company against United States (numbered 2711, in the Circuit Court of Appeals of the Ninth Circuit), \$5,000.

Vol. 39, p. 218.

Coos Bay Wagon  
Road lands included.

Vol. 40, p. 1179.

Patent Office.

## PATENT OFFICE.

Furniture, etc.

For furniture and filing cases, \$10,000, to continue available during the fiscal year 1922.

Mines Bureau.

## BUREAU OF MINES.

Inquiries, etc., concerning mining non-metallic minerals.

For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of heavy clay products, cement, feldspar, slate, and other nonmetallics; including all equipment, supplies, expenses of travel and subsistence; fiscal year 1922, \$35,000: *Provided*, That no part thereof may be used for investigation in behalf of any private party.

*Provided*.  
Private work forbidden.

Indian Department.

## INDIAN AFFAIRS.

Claims allowed by  
accounting officers.

For payment of claims found due by the accounting officers of the Treasury for the fiscal years 1919, 1920, and 1921, as follows:

Supplies, 1919.

Purchase and transportation of Indian supplies, 1919, \$11,924.71;

|  |                                    |
|--|------------------------------------|
| Telegraphing and telephoning, Indian Service, 1919, \$74.15;   | Telegraphing, etc., 1919.          |
| Indian school, Mount Pleasant, Michigan, repairs and improvements, 1919, 95 cents;                                 | Mount Pleasant School, 1919.       |
| Indian school, Albuquerque, New Mexico, 1919, \$165.49;  | Albuquerque School.                |
| Indian school, Albuquerque, New Mexico, repairs and improvements, 1919, \$352.15;                                  |                                    |
| Indian school, Phoenix, Arizona, 1919, \$625.08;   | Phoenix School.                    |
| Indian school, Salem, Oregon, repairs and improvements, 1919, \$27.04;   | Salem School.                      |
| Indian school, Tomah, Wisconsin, 1919, \$687.85;   | Tomah School.                      |
| Indian school, Truxton Canyon, Arizona, repairs and improvements, 1919, \$362.09;                                  | Truxton Canyon School.             |
| Road, Quinault Reservation, Washington, reimbursable, 1918-1919, \$79.83;  | Quinault Reservation road.         |
| Suppressing contagious diseases among live stock of Indians, 1919, \$109.09;                                       | Live stock diseases.               |
| Purchase and transportation of Indian supplies, 1920, \$9,343.73;  | Supplies, 1920.                    |
| Telegraphing and telephoning, Indian Service, 1920, \$55.91;   | Telegraphing, etc., 1920.          |
| Support of Indians, Warm Springs Agency, Oregon, 1920, \$36;   | Warm Springs Agency, Oreg.         |
| Cherokee Orphan Training School, Five Civilized Tribes, Oklahoma, 1920, \$122.36;                                  | Cherokee Orphan School.            |
| Indian school, Carson City, Nevada, irrigation system, 1920, \$17.76;  | Carson City School.                |
| Indian school, Cherokee, North Carolina, 1920, \$189.47;   | Cherokee School.                   |
| Indian school, Fort Totten, North Dakota, 1920, \$214.41;  | Fort Totten School.                |
| Indian school, Mount Pleasant, Michigan, 1920, \$158.76;   | Mount Pleasant School, 1920.       |
| Indian school, Mount Pleasant, Michigan, repairs and improvements, 1920, \$48;                                     |                                    |
| Indian school, Rapid City, South Dakota, repairs and improvements, 1920, \$25.27;                                  | Rapid City School.                 |
| Indian school, Wahpeton, North Dakota, 1920, \$176.63;   | Wahpeton School, 1920.             |
| Barns, Fort Berthold Reservation, North Dakota, \$6.47;  | Fort Berthold Reservation, barns.  |
| Maintenance and operation, waterworks, Papago Indian villages, Arizona, 1920, \$29.50;                             | Papago villages, waterworks.       |
| Highway from Mesa Verde National Park to Gallup, New Mexico, reimbursable, 1920, \$12.09;                          | Highway to Gallup.                 |
| Surveying and allotting Indian reservations, reimbursable, 1920, \$272.48;   | Surveying and allotting, 1920.     |
| Water supply, Papago Indian villages, Arizona, 1920, \$197.67;   | Papago villages, water supply.     |
| Support of Turtle Mountain Band of Chippewas, North Dakota, 1921, \$359.44;  | Turtle Mountain Chippewas.         |
| Indian school, Genoa, Nebraska, 1921, \$3,485.87;  | Genoa School.                      |
| Indian school, Greenville, California, 1921, \$41.68;  | Greenville School.                 |
| Indian school, Hayward, Wisconsin, 1921, \$911.60;   | Hayward School.                    |
| Indian school, Mount Pleasant, Michigan, 1921, \$2,543.45;   | Mount Pleasant School, 1921.       |
| Indian school, Wahpeton, North Dakota, 1921, \$110.55;   | Wahpeton School, 1921.             |
| Maintenance and operation, Modoc Point irrigation system, Klamath Reservation, Oregon, reimbursable, 1921, \$1.78; | Modoc Point irrigation system.     |
| Roads and bridges, Mescalero Reservation, New Mexico, reimbursable, 1921, \$666.68;                                | Mescalero Reservation, roads, etc. |
| Roads and bridges, Shoshone Reservation, Wyoming, reimbursable, 1921, \$2.34;                                      | Shoshone Reservation, roads, etc.  |
| Water supply, Pueblo Indians, New Mexico, 1921, \$23.40;   | Pueblos, N. Mex., water supply.    |
| In all, \$33,461.73.   |                                    |

## DEPARTMENT OF AGRICULTURE.

The Secretary of Agriculture is authorized to pay to the Dallas Morning News, Dallas, Texas, \$44.28; the Fort Worth Star-Telegram, Fort Worth, Texas, \$34; and the Gazette Publishing Com-

Department of Agriculture.

Ozark Forest, Ark. Advertising for road construction in.



pany, Little Rock, Arkansas, \$18.40; in all, \$96.88, from the appropriation "Cooperative construction, and so forth, of roads and trails, National Forest Fund," representing costs of advertisements inserted in the respective publications calling for bids on road machinery to be used in the construction of the Ozark Forest Road in Pope and Newton Counties, Arkansas, the provisions of section 3828 of the Revised Statutes notwithstanding.

R. S., sec. 3828, p. 749.

Ray Moon.  
Payment to, from  
rural post roads fund.  
Vol. 40, p. 1202.

The Secretary of Agriculture is authorized to pay to Ray Moon, of Toledo, Ohio, \$64.40 from any funds on hand under the provisions of section 9 of the Post Office Appropriation Act, approved February 9, 1919, for services in road building, said amount to be deducted from the allotment to North Carolina for the fiscal year 1921.

Animal Industry  
Bureau.

#### BUREAU OF ANIMAL INDUSTRY.

Indemnity for  
slaughtered tubercular  
animals.  
Vol. 41, p. 698.

GENERAL EXPENSES, BUREAU OF ANIMAL INDUSTRY: To enable the Bureau of Animal Industry, Department of Agriculture, to perform the duties imposed upon it by the Agricultural Appropriation Act approved May 31, 1920, for the payment of indemnities on account of cattle slaughtered during the current fiscal year, in connection with the eradication of tuberculosis from animals, \$405,000.

Peter G. Ten Eyck.  
Payment to.

The Secretary of Agriculture is authorized to pay to Peter G. Ten Eyck, from the appropriation "Meat inspection, Bureau of Animal Industry, 1921," the sum of \$84, representing rent remaining unpaid by the Department of Agriculture for the use and occupancy of a room in the Spencer-Trask Building, Albany, New York, from and including November 1, 1920, to February 28, 1921, the provisions of section 114 of the Penal Code notwithstanding.

Vol. 35, p. 1109.

Forest Service.

#### FOREST SERVICE.

Fighting forest fires.

Fighting and preventing forest fires: For fighting and preventing forest fires endangering the national forests, \$50,000.

Olympic National  
Forest, Wash.  
Emergency fire pro-  
tection expenses, 1922.

Olympic National Forest: The unexpended balance of the appropriation of \$100,000 for emergency expenditures incident to the disposal of wind-thrown and intermingled or adjoining timber on the Olympic National Forest and for emergency measures necessary to protect from fire the timber on the Olympic National Forest, made in the Deficiency Appropriation Act approved March 1, 1921, is reappropriated and made available for the same purposes during the fiscal year 1922.

Reappropriation.  
Vol. 41, p. 1177.

Miscellaneous.

#### MISCELLANEOUS EXPENSES.

Fuel for Department  
power plant.

For an additional amount required to meet the increased cost of fuel for the central power plant of the Department of Agriculture, \$9,000.

Experiment vine-  
yards.  
Fresno, Calif.  
Vol. 41, p. 1206.

For the purchase, as authorized by law, of not to exceed twenty acres of land occupied by the Department of Agriculture's experiment vineyard near Fresno, California, now maintained under contract with the owners of said land, \$12,000.

Oakville, Calif.  
Vol. 41, p. 1205.

For the purchase, as authorized by law, of not to exceed twenty acres of land occupied by the Department of Agriculture's experiment vineyard near Oakville, California, now maintained under contract with the owners of said land, \$15,000.

Consolidating mail-  
ing, etc., expenses.

To enable the Secretary of Agriculture to pay all necessary expenses, including labor and material, involved in consolidating the addressing, duplicating, and mailing work of the Department of Agriculture in the District of Columbia, \$5,000, to remain available during the fiscal year 1922.

## DEPARTMENT OF COMMERCE.

## STEAMBOAT-INSPECTION SERVICE.

Contingent expenses: For fees to witnesses; traveling and other expenses when on official business of the Supervising Inspector General, Deputy Supervising Inspector General, supervising inspectors, traveling inspectors, local and assistant inspectors, and clerks; instruments, furniture, stationery, janitor service, and every other thing necessary to carry into effect the provisions of Title 52, Revised Statutes, \$5,000, to continue available during the fiscal year 1922.

Department of Commerce.

Steamboat Inspection Service.

Contingent expenses.

R. S., Title LII, pp. 852-859.

## BUREAU OF NAVIGATION.

Wireless communication laws: To enable the Secretary of Commerce to enforce the Acts of Congress "to require apparatus and operators for radio communication on certain ocean steamers" and "to regulate radio communication," and so forth, including the same objects specified under this head in the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1922, \$20,000; and the amount which may be expended during such fiscal year for salaries of employees in the District of Columbia is increased from \$8,400 to \$10,900.

Navigation Bureau.

Wireless communication on steam vessels.  
Vol. 36, p. 829.  
Vol. 37, p. 199.Amount for employees in the District increased.  
Vol. 41, p. 1300, amended.

## BUREAU OF FISHERIES.

Steamer Gannet: Master, \$1,400; engineer, \$1,200; fireman, \$840; two seamen at \$780 each; in all, fiscal year 1922, \$5,000.

Steamer Phalarope: Master, \$1,500; engineer, \$1,200; fireman, \$780; two seamen at \$810 each; cook, \$870; in all, fiscal year 1922, \$5,970.

Maintenance of vessels: For maintenance of vessels and launches, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$4,422.

Alaska, general service: For protecting the seal fisheries of Alaska, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$9,353.

Fisheries Bureau.

Vessels, 1922.

Maintenance of vessels.

Alaska.  
Protecting seal fisheries.

## BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Salaries: For additional employees during the fiscal year 1922 at annual rates of compensation as follows: Two assistant directors, at \$4,000 each; expert on commercial laws in foreign countries, \$4,000; in all, \$12,000.

Promoting commerce: Not more than four trade commissioners employed under the appropriation for "Promoting commerce, Department of Commerce, fiscal year 1922," may be recalled from their foreign posts and assigned to duty in the Department of Commerce.

To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing in so far as they relate to the important export industries of the United States, including personal services in the District of Columbia and elsewhere, and all necessary incidental expenses connected therewith, fiscal year 1922, \$250,000.

Foreign and Domestic Commerce Bureau.

Additional employees, 1922.

Promoting commerce.  
Details of commissioners to department duty, 1922.Export industries.  
Investigation, etc., of foreign problems relating to, 1922.

## BUREAU OF STANDARDS.

The sum of \$250,000 of the appropriation of \$1,000,000 for the Bureau of the Census for the fiscal year 1922 is transferred to the

Standards Bureau.

Transfer of Census appropriation to, for specified uses, 1922.  
Vol. 41, p. 1261.

Structural materials  
investigations.

*Provided.*  
Disseminating in-  
formation as to con-  
structing farm build-  
ings, etc.

Industrial develop-  
ment investigations.

Cooperative testing,  
etc., of mechanical de-  
vices used in indus-  
tries, and by the Gov-  
ernment.

Department of La-  
bor.

Immigration Service.

Enforcing laws regu-  
lating immigration of  
aliens.

Commissioners of  
conciliation.  
Vol. 37, p. 738.

Employment Ser-  
vice.

Advanced transpor-  
tation, 1919.  
Reappropriation.  
Vol. 40, p. 696.

Legislative.

Statement of appro-  
priations.  
For 3d session 66th  
Congress, to include  
Army, Navy, and Sec-  
ond Deficiency Acts of  
1st session 67th Con-  
gress.

Public Building  
Commission.  
Credited for automo-  
bile expenses.  
Vol. 40, p. 1270.

Bureau of Standards and made available during that fiscal year for the following purposes and in the following amounts, respectively:

For continuation of the investigation of structural materials, such as stone, clays, cement, and so forth, including personal services in the District of Columbia and in the field, \$50,000: *Provided*, That as much of this sum as necessary shall be used to collect and disseminate such scientific, practical, and statistical information as may be procured, showing or tending to show approved methods in building, planning, and construction, standardization, and adaptability of structural units, including farm buildings, building materials, and codes, economy in the manufacture and utilization of building materials and supplies, and such other matters as may tend to encourage, improve, and cheapen construction and housing;

For technical investigations in cooperation with the industries upon fundamental problems involved in industrial development following the war, with a view to assisting in the permanent establishment of the new American industries developed during the war, including personal services in the District of Columbia and elsewhere, \$100,000;

To enable the Bureau of Standards to cooperate with Government departments, engineers, and manufacturers in the establishment of standards, methods of testing, and inspection of instruments, equipment, tools, and electrical and mechanical devices used in the industries and by the Government, including the practical specification for quality and performance of such devices, and the formulation of methods of inspection, laboratory, and service tests, including personal services in the District of Columbia and in the field, \$100,000.

## DEPARTMENT OF LABOR.

### IMMIGRATION SERVICE.

For enforcement of the laws regulating the immigration of aliens into the United States, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$336,000.

Commissioners of Conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor, including the same objects specified under this head in the Legislative, Executive, and Judicial Appropriation Act for the fiscal year 1921, \$15,000.

### EMPLOYMENT SERVICE.

The sum of \$125,207.97 of the appropriation "Advanced Transportation, United States Employment Service, 1918 and 1919," is reappropriated and made available to enable the Secretary of Labor to complete the payment of obligations covering transportation incurred during the fiscal year 1919 by the War Emergency Employment Service.

## LEGISLATIVE.

The statement of appropriations, and so forth, for the third session of the Sixty-sixth Congress shall include the Army, Naval, and Second Deficiency Appropriation Acts passed during the first session of the Sixty-seventh Congress, and all other appropriations made at the latter session shall be compiled and published with the statement of appropriations for the second session of the Sixty-seventh Congress.

Public Buildings Commission: The Accounting Officers of the Treasury are authorized to credit to the account of the Disbursing Officer of the Public Buildings Commission the sum of \$354.51, heretofore expended for the repair and upkeep of an automobile,

and charge the same to the appropriation for the Public Buildings Commission.

House Office Building: For maintenance, including miscellaneous items, and for all necessary services, \$18,500.

Capitol power plant: For lighting the Capitol, Senate and House Office Buildings, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$18,000.

House Office Building.  
Maintenance.  
Capitol power plant.  
Maintenance.

## SENATE.

Senate.

To enable the Secretary of the Senate to pay from the appropriation, "For compensation of officers, clerks, messengers and others" for the fiscal year 1921, to Austin Jackson for services rendered as assistant clerk to the Honorable Tasker L. Oddie, Senator from the State of Nevada, at the rate of \$1,500 per annum from March 4, 1921, to March 20, 1921, both dates inclusive.

Austin Jackson.  
Services.

CONTINGENT EXPENSES: For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, \$500, or so much thereof as may be necessary.

Contingent expenses.  
Motor vehicles.

For fuel, oil, cotton waste, and advertising, exclusive of labor, \$250.

Fuel, etc.

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, \$16,245.

Senate Office Building.  
Maintenance.

## HOUSE OF REPRESENTATIVES.

House of Representatives.

To pay the widow of William H. Frankhauser, late a Representative from the State of Michigan, \$7,500, to be disbursed by the Sergeant at Arms of the House of Representatives.

William H. Frankhauser.  
Pay to widow.

Office of Doorkeeper: For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$8,000, to continue available during the fiscal year 1922; and the appropriation for this purpose contained in the Third Deficiency Act, fiscal year 1920, is continued and made available during the fiscal year 1922.

Folding.

Committee employees: For an assistant clerk at \$4,000 and four assistant clerks at \$3,000 each, for the Committee on Appropriations, fiscal year 1922, \$16,000.

Reappropriation.  
Vol. 41, p. 1030.

Office of the Sergeant at Arms: For six policemen for the House Office Building, at the rate of \$1,050 each, during the fiscal year 1922, \$6,300.

Appropriations Committee.  
Assistant clerks,  
1922.

House Office Building.  
Police force, 1922.

CONTINGENT EXPENSES: For wrapping paper, pasteboard, paste, twine, newspaper wrappers, and other necessary materials for folding, for use of Members, the Clerk's office, and folding room, not including envelopes, writing paper, and other paper and materials to be printed and furnished by the Public Printer, upon requisitions from the Clerk of the House, under provisions of the Act approved January 12, 1895, \$3,500.

Contingent expenses.  
Folding materials.

Vol. 28, p. 624.

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, \$85,000.

Miscellaneous items,  
etc.

For furniture, and materials for repairs of the same, \$10,000.

Furniture.

## GOVERNMENT PRINTING OFFICE.

Government Printing Office.

Holidays: To enable the Public Printer to comply with the provisions of the law granting holidays and the Executive order granting half holidays with pay to the employees of the Government Printing Office, \$16,383.63.

Pay for holidays.

Samuel Robinson,  
William Madden,  
Joseph De Fontes, and  
Charles C. Allen.

Army passenger ve-  
hicle for.

To pay Samuel Robinson, William Madden, Joseph De Fontes, and Charles C. Allen, messengers on night duty during the Sixty-seventh Congress, first session, for extra services, \$700 each, \$2,800.

The Secretary of War is authorized and directed to transfer, without payment therefor, to the Government Printing Office one motor-propelled passenger-carrying vehicle.

Public printing and  
binding.

#### PUBLIC PRINTING AND BINDING.

Treasury Depart-  
ment.

For printing and binding for the Treasury Department, including printing required by the Federal Farm Loan Act, \$65,000.

Smithsonian Insti-  
tution.

For printing and binding for the Smithsonian Institution, including \$26,702.70 for the National Museum, \$10,000 for the Bureau of American Ethnology, and \$5,000 for the Annual Reports of the American Historical Association, fiscal years 1921 and 1922, \$41,702.70.

Interior Department.

For printing and binding for the Interior Department, \$50,000.

Patent Office.

For the Patent Office: For printing the weekly issue of patents, designs, trade-marks, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly, monthly, bimonthly, and annual indices, \$70,000.

Department of Jus-  
tice.

For printing and binding for the Department of Justice, \$10,000.

Post Office Depart-  
ment.

For printing and binding for the Post Office Department, exclusive of the money-order office, \$100,000.

Agricultural Depart-  
ment.

For printing and binding for the Department of Agriculture, \$125,000, to continue available during the fiscal year 1922.

Library of Congress.

For printing and binding for the Library of Congress, including the copyright office and the publication of the catalogue of title entries of the copyright office, and binding, rebinding, and repairing of library books, and for building and grounds, \$18,000.

Supreme Court.

For printing and binding for the Supreme Court of the United States, \$6,000, and the printing for the Supreme Court shall be done by the printer it may employ, unless it shall otherwise order.

Superintendent of  
Documents.

#### OFFICE OF SUPERINTENDENT OF DOCUMENTS.

Contingent expenses.

For furniture and fixtures, typewriters, carpets, labor-saving machines, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$7,500.

Judgments, United  
States courts.

#### JUDGMENTS, UNITED STATES COURTS.

Payment of.  
Vol. 24, p. 505.

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States," certified to Congress during the present session by the Attorney General in House Document Numbered 78, and which have not been appealed, namely:

Classification.

Under the War Department, \$3,283.45;

Under the Navy Department, \$8,129.59;

Interest.

In all, \$11,413.04, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per centum per annum from the date thereof until the time this appropriation is made.

District of Columbia  
supreme court.

For payment of the judgment rendered against the United States by the Supreme Court of the District of Columbia and certified to Congress by the Attorney General in House Document Numbered 82 of the present session, \$10,374.75, together with a sufficient sum to pay interest thereon at the rate of 6 per centum per annum from October 2, 1918, to the date this appropriation is made.

For payment of the judgments rendered against the United States by the United States District Court for the Eastern District of South Carolina and certified to Congress by the Attorney General in Senate Document Numbered 17 of the present session, \$440,000, together with a sufficient sum to pay interest thereon at the legal rate per annum from May 3, 1921, to the date this appropriation is made.

South Carolina eastern district.

Vol. 40, p. 276.

For payment of the judgments rendered against the United States by the District Court of the United States for the Eastern District of Virginia, sitting in Admiralty, and certified to Congress by the Attorney General in Senate Documents Numbered 31 and 32 of the present session, under the Navy Department, \$35,233.93.

Virginia eastern district.  
Vol. 41, pp. 1467, 1461.

### JUDGMENTS, COURT OF CLAIMS.

Judgments, Court of Claims.

For payment of the judgments rendered by the Court of Claims and reported to Congress during the present session in House Document Numbered 77 and Senate Document Numbered 26, namely:

Payment of.

Under the Treasury Department, \$3,237.10;

Classification.

Under the War Department, \$157,071;

Under the Navy Department, \$878.68;

In all, \$161,186.78.

None of the judgments contained herein shall be paid until the right of appeal shall have expired.

Right of appeal.

### AUDITED CLAIMS.

Audited claims.

SEC. 2. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1918 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884, as fully set forth in House Document Numbered 71, reported to Congress at its present session, there is appropriated as follows:

Payment of, certified by accounting officers.

Vol. 18, p. 110.

Vol. 23, p. 254.

### CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For collecting the revenue from customs, \$255.68.

For freight, transportation, and so forth, Public Health Service, \$50.01.

Claims allowed by Auditor for Treasury Department.

For freight, transportation, and so forth, Public Health Service, 1919, \$814.18.

For Quarantine Service, 32 cents.

For Interstate Quarantine Service, \$5.75.

For field investigations of public health, 1919, \$48.12.

For preventing the spread of epidemic diseases, \$1.25.

For collecting the war revenue, \$643.52.

For collecting the income tax, \$2.26.

For miscellaneous expenses, Internal Revenue Service, \$257.94.

For restricting the sale of opium, and so forth, \$17.91.

For refunding internal revenue collections, \$462.50.

For redemption of stamps, \$1,856.61.

For allowance or drawback (Internal Revenue), \$830.74.

For Coast Guard, \$15,684.53.

For contingent expenses, Assay Office at New York, \$1.14.

For operating supplies for public buildings, \$14.15.

For furniture and repairs of same for public buildings, \$3.80.

For repairs and preservation of public buildings, \$44.50.  
 The mechanical equipment for public buildings, \$75.74.  
 For general expenses of public buildings, \$2.05.

**CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.**

Claims allowed by  
 Auditor for War De-  
 partment.

For additional employees, War Department, \$16.50.  
 For national security and defense, \$13.  
 For increase of compensation, Military Establishment, \$157.81.  
 For registration and selection for military service, \$1,515.98.  
 For contingencies, Military Intelligence Division, General Staff Corps, 1920, \$195,222.91.  
 For Signal Service of the Army, \$33.33.  
 For extra duty pay to enlisted men as clerks, and so forth, at Army division and department headquarters, \$333.  
 For pay, and so forth, of the Army, \$8,636.10.  
 For arrears of pay, bounty, and so forth, \$673.98.  
 For pay of the Army, War with Spain, \$2.31.  
 For supplies, services, and transportation, Quartermaster Corps, \$45,965.93.  
 For subsistence of the Army, \$17.25.  
 For incidental expenses, Quartermaster Department, \$224.20.  
 For transportation of the Army and its supplies, \$48.70.  
 For roads, walks, wharves, and drainage, \$167.11.  
 For construction and repair of hospitals, \$1,182.18.  
 For shooting galleries and ranges, \$2,434.74.  
 For medical and hospital department, \$38.  
 For Engineer School, Washington, District of Columbia, \$1.20.  
 For ordnance service, \$16,761.38.  
 For ordnance stores, ammunition, \$52.50.  
 For replacing ordnance and ordnance stores, \$306.48.  
 For arming, equipping, and training the National Guard, \$1,860.74.  
 For civilian military training camps, \$87.42.  
 For headstones for graves of soldiers, \$71.51.  
 For disposition of remains of officers, soldiers, and civil employees, \$41.  
 For arming and equipping the militia, \$1,060.80.  
 For payment of claims for loss of firearms, and so forth, taken by United States troops during labor strikes in 1914 in Colorado, \$1,041.04.  
 For sodium nitrate storage, \$30,695.64.

**CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.**

Claims allowed by  
 Auditor for Navy De-  
 partment.

For contingent expenses, Navy Department, \$550.65.  
 For pay, miscellaneous, \$199.71.  
 For pay, miscellaneous, 1920, \$4,224.13.  
 For pay, Marine Corps, \$3,631.41.  
 For maintenance, Quartermaster's Department, Marine Corps, \$3,776.34.  
 For contingent, Marine Corps, \$4,584.85.  
 For transportation, Bureau of Navigation, \$929.91.  
 For gunnery and engineering exercises, Bureau of Navigation, \$3,115.  
 For outfits on first enlistment, Bureau of Navigation, \$332.88.  
 For instruments and supplies, Bureau of Navigation, \$500.  
 For Naval War College, Bureau of Navigation, 15 cents.  
 For maintenance, Bureau of Yards and Docks, \$2.50.  
 For pay of the Navy, \$18,342.65.

For provisions, Navy, Bureau of Supplies and Accounts, \$2,250.87.  
 For freight, Bureau of Supplies and Accounts, \$8,405.31.  
 For freight, Bureau of Supplies and Accounts, 1919, \$10,126.93.  
 For freight, Bureau of Supplies and Accounts, 1920, \$7,614.30.  
 For construction and repair, Bureau of Construction and Repair, \$758.83.  
 For engineering, Bureau of Steam Engineering, \$34.32.

## CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For contingent expenses, Department of the Interior, \$14.56.  
 For library, General Land Office, 1920, \$31.  
 For Scientific Library, Patent Office, \$33.22.  
 For traveling expenses, Bureau of Education, 1921, \$422.24.  
 For Capitol power plant, \$323.71.  
 For education of natives of Alaska, \$240.  
 For medical relief in Alaska, 1919, \$30.  
 For Glacier National Park, 1919, \$70.  
 For contingent expenses, Territory of Alaska, 57 cents.  
 For protecting public lands, timber, and so forth, \$450.  
 For surveying the public lands, 65 cents.  
 For Geological Survey, \$14.81.  
 For general expenses, Bureau of Mines, 82 cents.  
 For expenses, mining experiment stations, Bureau of Mines, 46 cents.  
 For investigating mine accidents, \$12.77.  
 For investigations, petroleum and natural gas, Bureau of Mines, \$1.10.  
 For enforcement of the Act to regulate explosives, Bureau of Mines, 1919, \$2.81.  
 For relieving distress and prevention, and so forth, of diseases among Indians, \$250.  
 For Indian schools, support, \$1,391.53.  
 For Indian school and agency buildings, 50 cents.  
 For industrial work and care of timber, \$10.15.  
 For purchase and transportation of Indian supplies, \$188.82.  
 For telegraphing and telephoning, Indian Service, \$5.56.  
 For pay of Indian police, \$170.65.  
 For general expenses, Indian Service, 31 cents.  
 For support of Indians in Arizona and New Mexico, 40 cents.  
 For Indian school, Greenville, California, \$10.75.

Claims allowed by  
 Auditor for Interior  
 Department.

## CLAIMS ALLOWED BY THE AUDITOR FOR STATE AND OTHER DEPARTMENTS.

For national security and defense, executive, \$675.06.  
 For salaries and expenses, Office of Alien Property Custodian, \$128.09.  
 For salaries of ambassadors and ministers, \$1,991.34.  
 For transportation of diplomatic and consular officers, \$3,127.09.  
 For transportation of diplomatic and consular officers, 1919, \$1,432.41.  
 For contingent expenses, foreign missions, \$942.91.  
 For clerks at embassies and legations, \$200.  
 For salaries, Consular Service, \$1,272.14.  
 For salaries and expenses, United States Court for China, 1920, \$15.  
 For salaries, interpreters to consulates, 1920, \$3,196.61.  
 For post allowances to diplomatic and consular officers, \$1,020.12.  
 For salaries, consular assistants, \$1,147.83.  
 For allowance for clerks at consulates, \$915.24.

Claims allowed by  
 Auditor for State, etc.,  
 Departments.



For contingent expenses, United States consulates, \$1,480.93.  
 For relief and protection of American seamen, \$84.66.  
 For relief and protection of American seamen, 1919, \$133.92.  
 For relief and protection of American seamen, 1920, \$13,194.66.  
 For Council of National Defense, \$120.84.  
 For Interstate Commerce Commission, \$636.56.  
 For State, War, and Navy Department buildings, fuel, lights, and so forth, \$199.68.  
 For salaries and expenses, United States Shipping Board, \$10.34.  
 For national security and defense, United States Shipping Board, \$3,227.72.  
 For salaries and expenses, United States Food Administration, \$180.34.  
 For national security and defense, United States Food and Fuel Administrations, educational, \$125.75.  
 For salaries, Department of Agriculture, \$23.53.  
 For library, Department of Agriculture, \$59.45.  
 For general expenses, Weather Bureau, \$77.42.  
 For general expenses, Bureau of Animal Industry, \$181.78.  
 For general expenses, Bureau of Plant Industry, \$533.75.  
 For purchase and distribution of valuable seeds, \$4.53.  
 For stimulating agriculture and facilitating distribution of products, \$4,756.43.  
 For general expenses, Forest Service, \$32.90.  
 For general expenses, Bureau of Chemistry, \$38.62.  
 For enforcement of the Food and Drugs Act, \$7.80.  
 For general expenses, Bureau of Soils, 43 cents.  
 For general expenses, States Relations Service, 78 cents.  
 For enforcement of the United States Cotton Futures Act, \$4.33.  
 For enforcement of the United States Grain Standards Act, \$2.73.  
 For suppressing spread of pink boll worm of cotton, \$7.80.  
 For national security and defense, Department of Commerce, \$21,886.80.  
 For expenses of the Thirteenth Census, \$2.  
 For promoting commerce, Department of Commerce, \$1.93.  
 For contingent expenses, Steamboat-Inspection Service, \$10.96.  
 For general expenses, Bureau of Standards, \$2.01.  
 For military research, Bureau of Standards, \$506.18.  
 For testing structural materials, Bureau of Standards, \$5.43.  
 For party expenses, Coast and Geodetic Survey, \$716.54.  
 For general expenses, Lighthouse Service, \$43,040.36.  
 For salaries, lighthouse vessels, \$586.50.  
 For miscellaneous expenses, Bureau of Fisheries, \$58.03.  
 For salaries and expenses, Commissioners, of Conciliation, \$1.  
 For contingent expenses, Department of Labor, \$2.22.  
 For national security and defense, Department of Labor, \$258.13.  
 For investigation of child welfare, \$1.01.  
 For expenses of regulating immigration, \$656.07.  
 For expenses of interned aliens, \$36.  
 For miscellaneous expenses, Bureau of Naturalization, \$6.79.  
 For enforcement of the child-labor law, 90 cents.  
 For contingent expenses, Department of Justice: Books for offices of solicitors, \$4.  
 For increase of compensation, Department of Justice, 83 cents.  
 For detection and prosecution of crimes, \$115.02.  
 For national security and defense, Department of Justice, \$267.14.  
 For fees of clerks, United States courts, 1919, \$252.45.  
 For salaries, fees, and expenses of marshals, United States courts, \$58.40.

For enforcement of antitrust laws, \$3,276.63.  
 For fees of commissioners, United States courts, 1920, \$823.30.  
 For fees of witnesses, United States courts, \$9.  
 For miscellaneous expenses, United States courts, \$128.60.  
 For support of prisoners, United States courts, \$33.  
 For support of prisoners, United States courts, 1919, \$641.55.

## CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

For railroad transportation, \$68,548.36.  
 For indemnities, international mail, \$1,016.17.  
 For equipment, City Delivery Service, \$1,000.  
 For Railway Mail Service, miscellaneous expenses, \$2.78.  
 For village delivery service, \$37.26.  
 For temporary city delivery carriers, \$2.10.  
 For special delivery fees, 24 cents.  
 For Railway Mail Service, salaries, \$303.45.  
 For payment of rewards, \$50.  
 For miscellaneous items, first and second class post offices, services, \$2.38.  
 For censorship of foreign mails, \$118.08.  
 For canceling machines, \$14.  
 For temporary clerk hire, \$538.74.  
 For clerks, first and second class post offices, \$360.12.  
 For Rural Delivery Service, \$56.27.  
 For Star Route Service, \$14,396.75.  
 For city delivery—car fare and bicycle allowance, \$2,011.99.  
 Mail Messenger Service, \$325.  
 For separating mails, third and fourth class post offices, \$111.  
 For rent, light, and fuel, \$510.54.  
 For clerks, contract stations, \$86.02.  
 For compensation to postmasters, \$521.87.  
 For unusual conditions at post offices, \$995.00.  
 For shipment of supplies, \$86.92.  
 For freight on stamped paper and mail bags, \$2,563.88.  
 Total, audited claims, section 2, \$610,982.88.

Claims allowed by  
 Auditor for Post Office  
 Department.

## AUDITED CLAIMS.

Audited claims.

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1918 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884, as fully set forth in Senate Document Numbered 27, reported to Congress at its present session, there is appropriated as follows:

Payment of, certified  
 by accounting officers.

Vol. 18, p. 110.

Vol. 23, p. 254.

## CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For collecting the revenue from customs, 38 cents.  
 For freight, transportation, and so forth, Public Health Service, \$45.76.  
 For freight, transportation, and so forth, Public Health Service, 1920, \$128.31.  
 For maintenance, Hygienic Laboratory, Public Health Service, \$53.01.  
 For care of seamen, and so forth, Public Health Service, \$50.

Claims allowed by  
 Auditor for Treasury  
 Department.

For control of biologic products, Public Health Service, \$17.49.  
 For field investigations of public health, 1919, \$71.77.  
 For collecting the war revenue, \$124.05.  
 For refunding internal revenue collections, \$50.  
 For payment of judgments against internal revenue officers, \$1,219.87.  
 For materials and miscellaneous expenses, Bureau of Engraving and Printing, \$123.03.  
 For Coast Guard, \$240.43.  
 For operating supplies for public buildings, \$7.50.  
 For mechanical equipment for public buildings, \$24.56.

## CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

Claims allowed by  
Auditor for War De-  
partment.

For increase of compensation, Military Establishment, \$65.79.  
 For registration and selection for military service, \$433.35.  
 For contingencies, Military Intelligence Division, General Staff Corps, 1920, \$31,594.72.  
 For pay, and so forth, of the Army, \$25,809.73.  
 For arrears of pay, bounty, and so forth (Certified Claims), 1921, \$85.40.  
 For supplies, services, and transportation, Quartermaster Corps, \$1,811.71.  
 For Medical and Hospital Department, \$10.95.  
 For engineer depots, 1919, \$15,282.47.  
 For headstones for graves of soldiers, \$2.40.  
 For pay of Military Academy, \$4.24.

## CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

Claims allowed by  
Auditor for Navy De-  
partment.

For contingent and miscellaneous expenses, Naval Observatory, \$2.71.  
 For contingent expenses, Navy Department, \$293.60.  
 For pay, miscellaneous, \$210.  
 For pay, Marine Corps, \$755.01.  
 For maintenance, Quartermaster's Department, Marine Corps, \$1,432.74.  
 For contingent, Marine Corps, \$363.65.  
 For transportation, Bureau of Navigation, \$1.64.  
 For outfits on first enlistment, Bureau of Navigation, \$41.88.  
 For pay of the Navy, \$4,456.37.  
 For provisions, Navy, Bureau of Supplies and Accounts, \$271.49.  
 For maintenance, Bureau of Supplies and Accounts, 55 cents.  
 For freight, Bureau of Supplies and Accounts, \$2,269.39.  
 For engineering, Bureau of Steam Engineering, \$1,888.  
 For fuel and transportation, Bureau of Supplies and Accounts, \$387.50.  
 For fuel and transportation, Bureau of Supplies and Accounts, 1919, \$61,347.34.  
 For fuel and transportation, Bureau of Supplies and Accounts, 1920, \$1,000.

## CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

Claims allowed by  
Auditor for Interior  
Department.

For salaries and expenses, Employees' Retirement Act, Bureau of Pensions, 1921, \$350.32.  
 For public use of inventions and defending suits, Patent Office, 1921, \$138.15.  
 For Capitol Building and repairs, 1921, \$3.25.  
 For medical relief in Alaska, 1919, \$60.

- For Lafayette National Park, 1920, \$806.05.
- For Geological Survey, 85 cents.
- For investigating mine accidents, Bureau of Mines, \$3.78.
- For testing fuel, Bureau of Mines, \$4.21.
- For operating mine rescue cars, Bureau of Mines, \$1.46.
- For investigations, petroleum and natural gas, Bureau of Mines, 87 cents.
- For relieving distress and prevention, and so forth, of diseases among Indians, \$7.26.
- For additional support, Indian schools, \$4.71.
- For Indian schools, support, \$13.38.
- For Indian school and agency buildings, \$291.96.
- For general expenses, Indian Service, 20 cents.
- For telegraphing and telephoning, Indian Service, 1919, \$1.53.
- For industry among Indians, \$43.75.
- For support of Indians in Arizona and New Mexico, 1920, \$1,351.54.
- For support of Indians in Arizona and New Mexico, \$33.35.
- For Indian school, Kickapoo Reservation, Kansas, repairs and improvements, \$1.96.
- For Indian school, Lawrence, Kansas, repairs and improvements, 35 cents.
- For Indian school, Pipestone, Minnesota, repairs and improvements, 88 cents.
- For Indian school, Pipestone, Minnesota, heating plant, \$1.73.
- For support of Indians, Fort Belknap Agency, Montana, \$18.74.
- For Indian school, Genoa, Nebraska, repairs and improvements, \$15.13.
- For Indian school, Albuquerque, New Mexico, repairs and improvements, \$11.27.
- For Indian school, Sante Fe, New Mexico, repairs and improvements, \$16.71.
- For Indian school, Sante Fe, New Mexico, repairs and improvements, 1920, \$672.45.
- For Indian school, Cherokee, North Carolina, 1920, \$16.64.
- For support of Indians, Fort Berthold Agency, North Dakota, 1920, \$4.99.
- For Indian school, Bismarck, North Dakota, repairs and improvements, \$6.74.
- For Indian school, Fort Totten, North Dakota, repairs and improvements, \$165.88.
- For Indian school, Fort Totten, North Dakota, 1920, \$30.31.
- For Indian school, Fort Totten, North Dakota, 1921, \$2,259.70.
- For Indian school, Wahpeton, North Dakota, repairs and improvements, \$47.63.
- For Indian school, Wahpeton, North Dakota, repairs and improvements, 1920, \$7.90.
- For Indian school, Wahpeton, North Dakota, 1921, \$1,426.77.
- For support of Pawnees, schools, Oklahoma, \$1.39.
- For Indian school, Chilocco, Oklahoma, repairs and improvements, \$193.30.
- For Cherokee Orphan Training School, Five Civilized Tribes, Oklahoma, repairs and improvements, \$17.10.
- For support of Sioux of different tribes, subsistence and civilization, South Dakota, \$2.33.
- For Indian school, Flandreau, South Dakota, repairs and improvements, \$93.39.
- For Indian school, Pierre, South Dakota, repairs and improvements, \$132.01.
- For Indian school, Rapid City, South Dakota, repairs and improvements, 77 cents.

For Indian school, Rapid City, South Dakota, 1921, \$1,514.38.  
 For asylum for insane Indians, Canton, South Dakota, \$2.72.  
 For education, Sioux Nation, South Dakota, \$26.19.  
 For Toppenish and Simcoe Creek Irrigation Project, Yakima Reservation, Washington (reimbursable), 1920, \$1,155.71.  
 For Indian school, Hayward, Wisconsin, repairs and improvements, \$36.73.  
 For Indian school, Tomah, Wisconsin, \$4.04.  
 For Indian school, Shoshone Reservation, Wyoming, repairs and improvements, \$1.10.

CLAIMS ALLOWED BY THE AUDITOR FOR STATE AND OTHER DEPARTMENTS.

Claims allowed by Auditor for State, etc., Departments.

For national security and defense, Executive, \$92.70.  
 For transportation of diplomatic and consular officers, \$313.  
 For transportation of diplomatic and consular officers, 1919, \$2,276.16.  
 For salaries of secretaries, Diplomatic Service, \$106.67.  
 For contingent expenses, foreign missions, \$93.32.  
 For salaries, Consular Service, \$58.63.  
 For allowances for clerks at consulates, \$560.42.  
 For salaries, consular assistants, \$301.52.  
 For contingent expenses, United States consulates, \$284.42.  
 For relief and protection of American seamen, 1920, \$1,661.52.  
 For salaries and expenses, United States Food Administration, \$16.53.  
 For library, Department of Agriculture, \$45.13.  
 For miscellaneous expenses, Department of Agriculture, \$2.23.  
 For general expenses, Bureau of Animal Industry, \$102.63.  
 For meat inspection, Bureau of Animal Industry, \$25.75.  
 For general expenses, Bureau of Plant Industry, \$21.53.  
 For stimulating agriculture and facilitating distribution of products, \$380.63.  
 For general expenses, Bureau of Chemistry, \$3.60.  
 For general expenses, Bureau of Biological Survey, 40 cents.  
 For general expenses, Office of Public Roads and Rural Engineering, \$1.08.  
 For general expenses, Bureau of Markets, 35 cents.  
 For general expenses, Bureau of Crop Estimates, 75 cents.  
 For enforcement of the United States Grain Standards Act, 94 cents.  
 For general expenses, Federal Horticultural Board, \$17.79.  
 For experiments and demonstrations in live-stock production, 30 cents.  
 For promoting commerce, Department of Commerce, \$2.01.  
 For gauge standardization, Bureau of Standards, \$20.15.  
 For testing structural materials, Bureau of Standards, \$93.60.  
 For party expenses, Coast and Geodetic Survey, \$9.58.  
 For general expenses, Lighthouse Service, \$87.20.  
 For miscellaneous expenses, Bureau of Fisheries, 40 cents.  
 For national security and defense, Department of Labor, \$1.  
 For expenses of regulating immigration, \$1.84.  
 For miscellaneous expenses, Bureau of Naturalization, \$1.98.  
 For general expenses, Children's Bureau, \$46.80.  
 For salaries, fees, and expenses of marshals, United States Courts, \$62.70.  
 For salaries and expenses of district attorneys, United States Courts, \$171.69.

For fees of commissioners, United States Courts, 1920, \$5,167.37.  
 For fees of jurors, United States Courts, \$12.  
 For support of prisoners, United States Courts, \$67.80.  
 For support of prisoners, United States Courts, 1919, \$637.25.

#### CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

For railroad transportation, \$5,448.85.  
 For indemnities, domestic and international mail, \$24.80.  
 For Star Route Service, \$66.17.  
 For shipment of supplies, \$36.08.  
 For rent, light, and fuel, \$363.33.  
 For Railway Mail Service, salaries, \$36.29.  
 For clerks, third class post offices, \$42.  
 For compensation of postmasters, \$19.24.  
 For unusual conditions at post offices, \$500.  
 Total audited claims, section 3, \$182,270.48.

Claims allowed by Auditor for Post Office Department.

#### EMERGENCIES.

SEC. 4. For emergency appropriations and purposes as follows:

##### CIVIL SERVICE COMMISSION.

For travel, printing, stationery, contingent expenses, additional employees, and other necessary expenses of examinations, fiscal year 1922, \$75,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum, except one at \$3,000.

##### Emergencies.

Emergency appropriations, etc.

Civil Service Commission.

Contingent expenses, 1922.

*Proviso.*  
 Pay restriction.

#### DISTRICT OF COLUMBIA.

##### PUBLIC SCHOOLS.

**Buildings and Grounds:** For the erection of an eight-room extensible building on the site in the immediate vicinity of the Mott School, \$140,000;

For the purchase of additional land adjoining the John Eaton School, \$12,000;

For the erection of an eight-room addition to the John Eaton School, \$140,000;

For beginning the erection of a junior high school north of Taylor Street and east of Fourteenth Street, on the land now owned by the District of Columbia, \$100,000, and the commissioners are authorized to enter into contract or contracts for said building at a cost not to exceed \$300,000;

For the purchase of a site for a junior high school building in the vicinity of the Gage, Emery, and Eckington Schools, \$50,000;

For beginning the erection of a junior high school on the site in the vicinity of the Gage, Emery, and Eckington Schools, \$100,000, and the commissioners are authorized to enter into contract or contracts for said building at a cost not to exceed \$300,000;

For a new site in the vicinity of the Smothers School, \$5,000;

For the erection of a four-room building on the site to be purchased in the vicinity of the Smothers School to replace the Smothers School, \$70,000;

For the purchase of a site for a sixteen-room extensible building in the vicinity of and north of Lincoln Park, \$30,000;

District of Columbia.

Public schools.

Buildings and grounds.  
 Mott School.  
 Building near.

John Eaton School.  
 Additional land and building.

Junior High School.  
 Building, north of Taylor Street and east of Fourteenth Street.  
 Contract, etc.

Junior High School.

Site and building, near Gage, etc., Schools.

Contracts, etc.

Smothers School.  
 Site and building to replace.

Lincoln Park.  
 Site and building north of.

Monroe School.  
Addition.  
Lovejoy School.  
Site adjoining.  
Ingleside section.  
Site in west of Sixteenth street.  
Phillips School.  
Land adjoining.  
Buchanan School.  
Site and building adjoining.

Bell School.  
Site and building to replace.

Tubercular pupils.  
Building for.

Harrison School.  
Repairs, etc.

Woodley Park.  
Site near.  
Armstrong Manual Training.  
Adjoining land.  
Hayes School.  
Adjoining land.

Emery School.  
Adjoining land.

Peabody School.  
Adjoining land.

Adams School.  
Adjoining land.

Webb School.  
Adjoining land.

Harrison School.  
Adjoining land.  
Accounting, etc.

Free Public Library.

Site for southeastern branch of.

Acceptance of gift for erection of building.

Supervision of construction.

Sixty per cent to be paid out of District revenues for buildings and grounds.

For the erection of an eight-room extensible building on the site to be purchased in the vicinity of and north of Lincoln Park, \$140,000;  
For the erection of a four-room addition to the Monroe School, \$75,000;

For the purchase of a site adjoining the Lovejoy School, \$6,500;  
For the purchase of a site west of Sixteenth Street northwest, in the Ingleside section, \$40,000;

For the purchase of land adjoining the Phillips School, \$9,000;  
For the purchase of a site for a sixteen-room building adjoining the Buchanan School, \$30,000;

For the erection of an eight-room extensible building adjoining the Buchanan School, \$140,000;

For the purchase of a new site in the vicinity of the Bell School, \$20,000;

For the erection of an eight-room building on the site to be purchased in the immediate vicinity of the Bell School, to ultimately replace the Bell School, \$140,000;

For the erection of a building for the care of tubercular pupils, \$150,000;

For repairs and alterations of the Harrison School, now used for colored tubercular children, \$17,000;

For the purchase of a site in the vicinity of Woodley Park, \$40,000;

For the purchase of land adjoining the Armstrong Manual Training School, \$20,000;

For the purchase of additional land north of the Hayes School, \$5,000;

For the purchase of additional land adjoining the Emery School, \$8,000;

For the purchase of additional land adjoining the Peabody School, \$20,000;

For the purchase of additional land adjoining the Adams School, \$20,000;

For the purchase of additional land adjoining the Webb School, \$1,500;

For the purchase of additional land adjoining the Harrison School, \$15,000; in all, fiscal year 1922, \$1,544,000, to be disbursed and accounted for as "Buildings and grounds, public schools," and for that purpose shall constitute one fund.

#### FREE PUBLIC LIBRARY.

For the purchase of a site for a branch of the free Public Library in the southeastern section of the District of Columbia, \$10,000, or so much thereof as may be necessary, and authority is hereby conferred upon the Commissioners of the District of Columbia to accept from the Carnegie Corporation of New York not less than \$50,000 for purpose of erecting a suitable branch library building on such a site, subject to the approval of said commissioners and the board of library trustees. Authority is hereby conferred upon a commission to consist of the Engineer Commissioner of the District of Columbia, the president of the board of library trustees, and the chairman of the committee on branch libraries of the library trustees to supervise the erection of said branch library building.

Sixty per centum of the sums contained in this section for the District of Columbia shall be paid out of the revenues of the District of Columbia and 40 per centum out of the Treasury of the United States.

## INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

Interdepartmental  
Social Hygiene Board.Authority conferred.  
Vol. 40, p. 886.

The duties and powers conferred upon the Interdepartmental Social Hygiene Board by Chapter XV of the Army Appropriation Act approved July 9, 1918, with respect to the expenditure of the appropriations made therein are extended and made applicable to the appropriations for similar purposes made in this Act;

For expenses of the board, including personal services in the District of Columbia and elsewhere, books of reference and periodicals, printing and binding, traveling, and other necessary expenses, fiscal year 1922, \$25,000;

Expenses, 1922.

For assisting the States in protecting the military and naval forces of the United States against venereal diseases, fiscal year 1922, \$200,000: *Provided*, That no part of this sum shall be expended in assisting reformatories, detention homes, hospitals, or other similar institutions in the maintenance of venereally infected persons;

Assistance to States.

*Provided*.  
Venereal institutions  
excluded.

In all, Interdepartmental Social Hygiene Board, \$225,000.

## DEPARTMENT OF STATE.

Department of State.

Passport Bureaus: For salaries and expenses of maintenance of passport bureaus, fiscal year 1922, as follows:

Passport bureaus,  
1922.  
Salaries and expen-  
ses, at designated  
places.

At New York, New York, \$20,820;

At San Francisco, California, \$7,500;

At Chicago, Illinois, \$17,500;

At Seattle, Washington, \$4,500;

At New Orleans, Louisiana, \$7,500;

In all, \$57,820.

## TREASURY DEPARTMENT.

Treasury Depart-  
ment.

## OFFICE OF THE SECRETARY.

Office of Secretary.

Undersecretary of the Treasury, to be nominated by the President and appointed by him, by and with the advice and consent of the Senate, who shall receive compensation at the rate of \$10,000 per annum and shall perform such duties in the office of the Secretary of the Treasury as may be prescribed by the Secretary or by law, and under the provisions of section 177, Revised Statutes, in case of the death, resignation, absence, or sickness of the Secretary of the Treasury, shall perform the duties of the Secretary until a successor is appointed or such absence or sickness shall cease, fiscal year 1922, \$10,000.

Undersecretary.  
Appointment and  
salary.  
Duties, etc.

R. S., sec. 177, p. 28.

Division of Printing and Stationery: Clerks—one \$1,400, one \$1,200, one \$1,000, one \$900; multigraph operators—one \$1,200, one \$1,000; skilled laborer, \$840; four laborers, at \$720 each; two messenger boys, at \$480 each; in all, fiscal year 1922, \$11,380.

Printing and Sta-  
tionery Division.  
Additional employ-  
ees, 1922.  
Vol. 41, p. 1267.

Division of Mail and Files: Distributing clerk, \$1,400; reading and routing clerk, \$1,400; assistant file clerk, \$1,100; assistant mail messenger, \$900; in all, fiscal year 1922, \$4,800.

Mails and Files Di-  
vision.  
Additional employ-  
ees, 1922.  
Vol. 41, p. 1267.

## OFFICE OF THE COMPTROLLER OF THE CURRENCY.

Office of Comptroller  
of the Currency.

For salaries, fiscal year 1922, at annual rates of compensation as follows: Clerks—four at \$2,000 each, four at \$1,800 each, four at \$1,600 each, five at \$1,400 each; clerk-counters—two at \$1,400 each, four at \$1,200 each; two messengers at \$840 each; in all, \$37,880.

Additional employ-  
ees, 1922.  
Vol. 41, p. 1270.

The Comptroller of the Currency may designate a national bank examiner to act as chief of the examining division in his office.

Chief of examining  
division.



Office of Auditor for  
Post Office Depart-  
ment.

Employees auditing  
accounts, etc.  
Balances reappro-  
riated.

Vol. 40, p. 1229; Vol.  
41, p. 648.

#### OFFICE OF AUDITOR FOR THE POST OFFICE DEPARTMENT.

The unencumbered balances in the appropriations for compensation of employees to audit the accounts and vouchers of the Postal Service in the fiscal years 1920 and 1921, are reappropriated and made available during the fiscal year 1922. And not exceeding \$975 per annum may be expended out of the appropriation for contingent and miscellaneous expenses for rental of telephones in the fiscal years 1921 and 1922.

#### Public buildings.

#### PUBLIC BUILDINGS.

Chicago, Ill.  
Broadview Hospital.  
Designated improve-  
ments, etc.

Vol. 40, p. 1304; Vol.  
41, pp. 45, 378, 508,  
1163.

*Proviso.*  
Technical services,  
etc.

Construction con-  
tracts, etc.

Dawson Springs,  
Ky.  
Erection of sanato-  
rium.

Limit of cost in-  
creased.  
Vol. 40, p. 1304.

*Proviso.*  
Supervision, etc.,  
under Supervising Ar-  
chitect of the Treasury.

Chicago, Illinois; Broadview Hospital. For recreation building, walks, and roads, water softening apparatus, additional water supply, planting and improving of grounds, and for superintendence and technical services necessary for said work at customary rates of compensation to be employed within or without the District of Columbia and without regard to civil-service rules and regulations, \$500,000: *Provided*, That the expenditures for such superintendence and technical services shall not exceed 3 per centum of the total amount expended hereunder: *And provided further*, That in carrying the foregoing authorization into effect the Secretary is hereby authorized, in his discretion, to enter into contracts or to employ labor and purchase materials in the open market, all of said work to be performed under the supervision and direction of the Secretary of the Treasury.

Dawson Springs, Kentucky; Sanatorium. To enable the Secretary of the Treasury to cause the principal buildings for the Dawson Springs, Kentucky, Sanatorium to be erected of fireproof construction and as originally designed, \$750,000, and the limit of cost heretofore fixed for said sanatorium is hereby increased from \$1,500,000 to \$2,250,000: *Provided*, That from and after the passage of this Act the completion of the buildings and approaches for said sanatorium shall be under the supervision and direction of the Supervising Architect of the Treasury, the compensation of the superintendent of construction and such technical and clerical assistance as may be necessarily employed in the superintendence of the completion of said buildings and approaches to be chargeable to the appropriation for the field force of the office of the Supervising Architect.

#### War Department.

#### WAR DEPARTMENT.

Assistant Secretary.  
Salary, 1922.  
Vol. 41, p. 765.

OFFICE OF THE SECRETARY: For additional amount required for the salary of the Assistant Secretary of War in accordance with section 5a of the Act "To amend an Act entitled 'An Act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," fiscal year 1922, \$5,000.

Schofield Barracks,  
Hawaii.  
Water system, 1922.

Water System, Schofield Barracks, Hawaii: For installation of a pipe line to replace the present water main from Koolau Reservoir to Schofield Barracks, fiscal year 1922, \$600,000.

Camp Benning, Ga.  
Additional amount  
for land.  
Infantry School.

Quartermaster Corps: To complete the acquisition of land required for the Infantry School at Camp Benning, Georgia, there may be expended from the appropriation "General Appropriations, Quartermaster Corps," for the fiscal year 1919, the sum of \$400,000, which amount shall be in addition to the sum of \$515,252, the expenditure of which for the same purpose was authorized by the Act approved February 28, 1920, entitled "An Act to amend the Army Appropriation Act of 1920, and for the purchase of land and to provide for construction work at certain military posts, and for other

Vol. 41, p. 453.

purposes." The said sum of \$400,000 herein authorized to be expended shall remain on the books of the Treasury to the credit of the appropriation "General Appropriations, Quartermaster Corps, 1919," until June 30, 1922.

**Unexpended balances:** Such amounts of the unexpended balances of the appropriations chargeable with the settlement of claims resulting from the suspension or termination of contracts or other procurement obligations of the War Department, consequent upon the suspension of hostilities, and with the adjustment of claims under the Act entitled "An Act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, shall remain upon the books of the Treasury to the credit of the respective appropriations and be available for similar purposes until June 30, 1922, and of said amounts, not to exceed \$250,000 shall also be available for such personal services as in the discretion of the Secretary of War are necessary to properly protect the interests of the United States in making such settlements and adjustments: *Provided*, That no part of said amounts shall be used to pay any claims arising out of any contract or other obligation unless such contract or obligation was entered into subsequently to April 6, 1917, and prior to November 12, 1918.

**Ogden Arsenal, Utah:** Of the \$5,000,000 which the Chief of Ordnance, United States Army, was authorized in the Second Deficiency Act, approved March 6, 1920, to expend during the fiscal year 1921 for the construction of storage facilities for ammunition and components thereof, \$100,000 is hereby made available during the fiscal year 1922 for the development of a water supply for Ogden Arsenal, Utah: *Provided*, That not to exceed \$30,000 of the amount herein made available for this purpose may be expended for the purchase of such land and water rights as may be necessary to provide a suitable water supply for Ogden Arsenal.

Available until June 30, 1922.

War contracts.  
Unexpended balances for settlement of, continued available until June 30, 1922.

Vol. 40, p. 1272.  
Vol. 41, p. 1026.

Amount for personal services.

*Proviso.*  
Restriction on claims.

Ogden Arsenal, Utah.  
Water supply.  
Vol. 41, p. 510.

*Proviso.*  
Purchase of land and water rights.

## POSTAL SERVICE.

Postal Service.

### OUT OF THE POSTAL REVENUES.

#### OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL.

Second Assistant Postmaster General.

When any damage is done to person or property by or through the operation of the Post Office Department in any branch of its service and such damage is found by the Postmaster General upon investigation to be a proper charge against the the United States, the Postmaster General is hereby invested with power to adjust and settle any claim for such damage when his award for such damage in any case does not exceed \$500; and the sum of \$35,000 is hereby appropriated for the fiscal year 1922 to carry out the provisions of this paragraph.

Damages to persons or property through postal operations.

Payment of claims for.

## DEPARTMENT OF COMMERCE.

Department of Commerce.

### BUREAU OF FISHERIES.

Fisheries Bureau.

**EXPENSES OF ADVISORY COMMITTEE:** For the expenses of an advisory committee of not to exceed two members from the Atlantic coast, two members from the Pacific coast, and four members from the inland waters, Great Lakes, and Alaskan sections of the United States, to be designated from time to time by the Secretary of Commerce, to consist of men prominently identified with the various branches of the fishery industry, qualified in aquatic research, and experienced in fish culture, who shall visit the Bureau of Fisheries at

Advisory committee.  
Expenses of, to report on needs of the service.

such times as the Secretary of Commerce may deem necessary and report to the Secretary of Commerce on the condition and needs of the service, the members to serve without compensation, but to be paid the actual expenses incurred in attending the meetings, fiscal year 1922, \$2,500.

Foreign and Domestic Commerce Bureau.

#### BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Promoting commerce.  
Services in Washington, 1922.

Vol. 41, p. 1298.  
Commercial Attachés.  
Allowance of clerks to, 1922.

Vol. 41, p. 1298.  
Assignment to Department duty.

Not more than \$25,000 of the appropriation for "Promoting commerce, Department of Commerce, fiscal year 1922," may be used for personal services in Washington, District of Columbia.

Commercial Attachés: The appropriation for "Commercial attachés, fiscal year 1922," shall be available for the compensation of a clerk or clerks for each commercial attaché at the rate of not to exceed \$2,500 per annum for each person so employed. And not to exceed two commercial attachés employed under said appropriation may be recalled from their foreign posts and assigned for duty in the Department of Commerce without loss of salary.

Legislative.

#### LEGISLATIVE.

Senate.

#### SENATE.

Committee on Finance.  
Assistant clerk.

Committee employee: For an assistant clerk to the Committee on Finance, fiscal year 1922, \$2,100.

Government Printing Office.

#### GOVERNMENT PRINTING OFFICE.

Departments, etc., to discontinue printing their reports.

*Proviso.*  
Originals to be kept for public inspection.

Title of Act.

In order to keep the expenditures within or under the appropriations for the fiscal year 1922 for printing and binding, the heads of the various executive departments and Government establishments are hereby authorized to discontinue the printing of any annual or special reports under their respective jurisdiction: *Provided*, That where the printing of said reports is discontinued, the original copy thereof shall be kept on file in the offices of the heads of the respective departments or Government establishments for public inspection.

SEC. 5. That this Act hereafter may be referred to as the "Second Deficiency Act, fiscal year 1921."

Approved, June 16, 1921.

June 18, 1921.  
[H. R. 2486.]  
[Public, No. 19.]

CHAP. 24.—An Act To constitute Fort Worth, in the State of Texas, a port of entry and to extend to said port the privileges of section 7 of an Act approved June 10, 1880, entitled "An Act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes."

Customs.  
Fort Worth, Tex.  
Made port of entry with immediate transportation privileges.  
Vol. 21, p. 174.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Fort Worth, in the State of Texas, be, and the same is hereby, constituted a port of entry in the customs collection district of San Antonio, Texas, and that the privileges of section 7 of an Act entitled "An Act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880, as amended, governing the immediate transportation of dutiable merchandise without appraisement, be, and the same are hereby, extended to the said port of Fort Worth, in the State of Texas.

Approved, June 18, 1921.

**CHAP. 25.**—An Act Granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough on Isthmus Inlet, in section twenty-three, township twenty-six south, range thirteen west, of Willamette meridian in Oregon.

June 18, 1921.

[H. R. 3018.]

[Public, No. 20.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to H. H. Haynes, and his legal representatives and assigns, to construct and maintain a dike and approaches thereto across the Mud Slough on Isthmus Inlet at or near its mouth in section twenty-three, township twenty-six south, range thirteen west, of Willamette meridian in Oregon, in the county of Coos, in the State of Oregon: *Provided*, That the work shall not be commenced until the plans therefor have been filed with and approved by the Chief of Engineers, United States Army, and by the Secretary of War: *Provided further*, That no dam or dike constructed under the consent hereby granted shall be used to develop water power nor to generate electricity.

Isthmus Inlet, Oreg.  
H. H. Haynes may  
construct dike across  
Mud Slough on.

*Proviso.*  
Approval of plans.

Use for power, etc.,  
forbidden.

*Amendment.*

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 18, 1921.

**CHAP. 26.**—An Act Granting the consent of Congress to the Borderland Coal Corporation to construct a bridge across the Tug Fork of Big Sandy River, in Mingo County, West Virginia.

June 21, 1921.

[H. R. 4091.]

[Public, No. 21.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Borderland Coal Corporation, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tug Fork of Big Sandy River, at a point suitable to the interests of navigation, and at or near Berderland, in the County of Mingo, State of West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Tug Fork of Big  
Sandy River.  
Borderland Coal  
Corporation may  
bridge, Borderland,  
W. Va.

*Construction.*  
Vol. 34, p. 84.

*Amendment.*

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 21, 1921.

**CHAP. 27.**—An Act Granting certain lands to Converse County, Wyoming, for a public park.

June 24, 1921.

[H. R. 2428.]

[Public, No. 22.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the public lands within the areas hereinafter described be, and the same are hereby, granted and conveyed to Converse County, Wyoming, in trust, for the purposes of a public park, reserving, however, to the United States all oil, coal, and other mineral deposits within said lands and the right to prospect for, mine, and remove the same, to wit: Lots twelve to nineteen, inclusive, in section six; lots one to sixteen, inclusive, in section seven; lots two, three, four, seven, nine, ten, eleven, and twelve, in section eighteen; the northeast quarter northwest quarter of section nineteen, township thirty-two north, range seventy-four west; lots five, six, and seven, the south half northwest quarter, northwest quarter southeast quarter, and southwest quarter of section one; lots one to fifteen, inclusive, and the west half northwest quarter of section twelve; lots one to nineteen, inclusive, of section thirteen; lots one to eight, inclusive, lots eleven to fifteen, inclusive, and lots seventeen to twenty, inclusive, of section twenty-four, township

Public lands.  
Granted Converse  
County, Wyo., for pub-  
lic park.

Mineral deposits re-  
served.

*Description.*

Prior rights not affected.

Report of compliance with terms.

Recovery on failure, etc.

thirty-two north, range seventy-five west, sixth principal meridian, containing approximately three thousand and eighty-eight and twenty-six one-hundredths acres; but nothing herein contained shall in any wise affect any claim or title heretofore acquired or asserted to any of the lands herein described.

SEC. 2. That the grant herein is made upon the express condition that within thirty days of the receipt of any request therefor from the Secretary of the Interior, the county clerk shall submit to the said Secretary of the Interior a report as to the use made of the land herein granted the county during the preceding period named in such request, showing compliance with the terms and conditions stated in this Act; and that in the event of his failure to so report, or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forfeited, and the Attorney General of the United States shall institute suit in the proper court for the recovery of said lands.

Approved, June 24, 1921.

June 24, 1921.

[H. R. 5223.]

[Public, No. 23.]

CHAP. 28.—An Act To exempt from cancellation certain desert-land entries in Riverside County, California.

Public lands.  
Time extended for final proof, etc., of desert land entries in Riverside County, Calif.

Territory included.

Assessments operative from May 1, 1923.

Further extension if water not available.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no desert-land entry heretofore made in good faith under the public-land laws for lands in townships four and five south, range fifteen east; townships four and five south, range sixteen east; townships four, five, and six south, range seventeen east; townships five, six, and seven south, range eighteen east; townships six and seven south, range nineteen east; townships six and seven south, range twenty east; townships four, five, six, seven, and eight south, range twenty-one east; townships five, six, and sections three, four, five, six, seven, eight, eighteen, and nineteen, in township seven south, range twenty-two east; township five south, range twenty-three east, San Bernardino meridian, in Riverside County, State of California, shall be canceled prior to May 1, 1923, because of failure on the part of the entrymen to make any annual or final proof falling due upon any such entry prior to said date. The requirements of law as to annual assessments and final proof shall become operative from said date as though no suspension had been made. If the said entrymen are unable to procure water to irrigate the said lands above described through no fault of theirs, after using due diligence, or the legal questions as to their right to divert or impound water for the irrigation of said lands are still pending and undetermined by said May 1, 1923, the Secretary of the Interior is hereby authorized to grant a further extension for an additional period of not exceeding two years.

Approved, June 24, 1921.

June 26, 1921.

[S. 78.]

[Public, No. 24.]

CHAP. 29.—An Act Authorizing the appointment of an additional judge for the district of North Dakota.

North Dakota judicial district.  
Additional judge authorized for.  
Vol. 36, p. 1087, amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the District Court of the United States for the judicial district of the State of North Dakota, who shall possess the same powers, perform the same duties, and receive the

same compensation and allowance as the present judge of said district, and the judge so appointed shall be held and treated as the senior judge and shall exercise such powers and perform such duties in that judicial district as may be incident to seniority.

To act as senior judge.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the district of North Dakota, by the retirement, disqualification, or death of the judge senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

Vacancy in office of judge senior in commission not to be filled.

Approved, June 25, 1921.

CHAP. 30.—An Act Providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia.

June 25, 1921.

[S. 604.]

[Public, No. 25.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the southern judicial district of the State of West Virginia, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district, and the judge so appointed shall be held and treated as the senior judge and shall exercise such powers and perform such duties in that judicial district as may be incident to seniority.

West Virginia southern judicial district. Additional judge authorized.

Vol. 36, p. 1087, amended.

To act as senior judge.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the southern district of West Virginia senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

Vacancy in office of judge senior in commission not to be filled.

Approved, June 25, 1921.

CHAP. 31.—Joint Resolution Creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru.

June 25, 1921.

[S. J. Res. 34.]

[Pub. Res., No. 6.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That a commission is hereby created, consisting of six members and a secretary, to be appointed by the President of the United States, to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru in said Republic during the month of July, 1921.

Peru Centennial. Commission to represent United States at celebration of.

That to meet the expenses of the commission the sum of \$15,000 be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended at the discretion of the Secretary of State.

Appropriation for expenses.

Approved, June 25, 1921.

CHAP. 32.—An Act To provide for the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Territory of Hawaii.

June 28, 1921.

[H. R. 2469.]

[Public, No. 26.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized to examine and appraise the value of the privately owned rights of fishery in Pearl Harbor, island of Oahu, Territory of Hawaii, from an imaginary line from Kaak Point to Beckoning Point, both within said harbor, to the seaward, and the privately owned rights of fishery in and about the entrance channel

Pearl Harbor, Hawaii.

Private fishery rights in, etc., to be acquired.

Contracts author-  
ized.

Condemnation author-  
ized if contracts  
not obtainable.

Procedure.

Vol. 25, p. 357.

Amount authorized  
for expenses.

to said harbor, and to enter into negotiations for the purchase of the said rights and, if in his judgment the price for such rights is reasonable and satisfactory, to make contracts for the purchase of same subject to future ratification and appropriation by Congress; or in the event of the inability of the Secretary of the Navy to make a satisfactory contract for the voluntary purchase of the said rights of fishery, he is hereby authorized and directed through the Attorney General to institute and carry to completion proceedings for the condemnation of said rights of fishery, the acceptance of the award in said proceedings to be subject to the future ratification and appropriation by Congress. Such condemnation proceedings shall be instituted and conducted in, and jurisdiction of said proceedings is hereby given to, the district court of the United States for the district of Hawaii, substantially as provided in "An Act to authorize condemnation of land for sites for public buildings, and for other purposes," approved August 1, 1888; and the sum of \$5,000 is hereby authorized to be appropriated, to be immediately and continuously available until expended, to pay the necessary costs thereof and expenses in connection therewith. The Secretary of the Navy is further authorized and directed to report the proceedings hereunder to Congress.

Approved, June 28, 1921.

June 30, 1921.

[H. R. 5010.]

[Public, No. 27.]

CHAP. 33.—An Act Making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

Army appropri-  
ations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the fiscal year ending June 30, 1922, namely:

Secretary of War.

## SECRETARY OF WAR.

Army contingencies.

## CONTINGENCIES OF THE ARMY.

Expenses designat-  
ed.

For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices at Washington, District of Columbia, or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed \$4, in lieu of subsistence, to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, \$110,000: *Provided*, That not to exceed \$80,000 of the money herein appropriated shall be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims: *Provided further*, That the Secretary of War is hereby authorized, in his discretion, to sell to any foreign State or Government with which the United States is at peace, upon such terms as he may deem expedient, any foodstuffs, now on hand and found to be surplus, which are not needed for military purposes, or which are likely to spoil, and for which there is no adequate domestic market: *Provided further*, That none of the funds appropriated or made available under this Act shall be used for the

Per diem subsistence.

*Proviso.*  
Civilian employees  
on sales of war sup-  
plies, etc.

Surplus foodstuffs  
may be sold to friendly  
foreign States, etc.

Civilian pay restric-  
tion.

payment of any salary in excess of \$5,000 per annum to any civilian employee in the War Department.

#### GENERAL STAFF COLLEGE.

General Staff College.

For expenses of the General Staff College, being for the purchase of the necessary stationery; typewriters and exchange of same; office, toilet, and desk furniture; textbooks, books of reference, scientific and professional papers and periodicals; printing and binding; maps; police utensils; for lighting the General Staff College Building and grounds; employment of temporary technical or special services and expenses of special lectures; and for all other absolutely necessary expenses, including \$25 per month additional to regular compensation to chief clerk for superintendence of the General Staff College Building; also for pay of a chief engineer at \$1,400, and assistant engineer at \$1,000, a carpenter at \$1,000, four firemen at \$720 each, an elevator conductor at \$720; in all, \$22,000.

Expenses.

Maintenance of building.

#### OFFICE OF CHIEF OF STAFF.

Office of Chief of Staff.

#### CONTINGENCIES, MILITARY INTELLIGENCE DIVISION.

Military Intelligence Division.

Contingencies.

For contingent expenses of the Military Intelligence Division, General Staff Corps, including the purchase of law books, professional books of reference; subscription to newspapers and periodicals; drafting and messenger service; and of the military attachés at the United States embassies and legations abroad and rental of offices for such military attachés; the cost of special instruction at home and abroad, and in maintenance of students and attachés; for the hire of interpreters, special agents, and guides; and for such other purposes as the Secretary of War may deem proper, including \$10,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign States at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$225,000; to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes, shall not apply to subscription for foreign and professional newspapers and periodicals to be paid for from this appropriation.

Military observers abroad.

*Proviso.*  
Periodicals.  
R. S., Sec. 3648, p. 718.

#### GENERAL SERVICE SCHOOLS.

Service schools.

**FORT LEAVENWORTH, KANSAS:** For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, or special services, including the services of one translator at the rate of \$150 per month; and for other necessary expenses of instruction, at the School of the Line and the General Staff School, Fort Leavenworth, Kansas, \$35,000.

Fort Leavenworth, Kans.  
School of the Line,  
and General Staff  
School.

**INFANTRY SCHOOL, CAMP BENNING, GEORGIA:** For the purchase of textbooks, books of reference, scientific and professional papers; instruments and material for instruction, employment of technical and special services, including the services of one translator at the rate of \$150 per month, and for the necessary expenses of instruction at the Infantry School, Camp Benning, Georgia, \$35,000.

Camp Benning, Ga.  
Infantry School.

**CAVALRY SCHOOL, FORT RILEY, KANSAS:** For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, or special services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas, \$10,000.

Fort Riley, Kans.  
Cavalry School.



Field Artillery  
Schools.  
Fort Sill, Okla.,  
Camp Knox, Ky., and  
Camp Bragg, N. C.

**FIELD ARTILLERY SCHOOLS:** For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, or special services, including the services of one translator at the rate of \$150 per month; and for other necessary expenses of instruction, at the Field Artillery Schools at Fort Sill, Oklahoma, Camp Knox, Kentucky, and Camp Bragg, North Carolina, \$35,000.

Field Artillery ac-  
tivities.

#### FIELD ARTILLERY ACTIVITIES.

Instruction at firing  
centers.

To provide means for the theoretical and practical instruction in Field Artillery activities at the three brigade firing centers at Fort Sill, Oklahoma, Camp Bragg, North Carolina, and Camp Knox, Kentucky, by the purchase of modern instruments and material for theoretical and practical instruction, for the tuition of officers detailed as students at civil educational institutions, and for all other necessary expenses, to be allotted in such proportion as may, in the opinion of the Secretary of War, be for the best interests of the service, \$5,000.

Adjutant General's  
Department.

#### THE ADJUTANT GENERAL'S DEPARTMENT.

##### CONTINGENCIES, HEADQUARTERS OF MILITARY DEPARTMENTS, AND SO FORTH.

Contingencies at  
headquarters of de-  
partments, etc.

For contingent expenses at the headquarters of the several territorial departments, corps areas, armies, territorial districts, tactical corps, divisions, and brigades, including the Staff Corps serving thereat, being for the purchase of the necessary articles of office, toilet, and desk furniture, stationery, ice, and potable water for office use when necessary, binding, maps, technical books of reference, professional and technical newspapers and periodicals, payment for which may be made in advance, and police utensils, to be allotted by the Secretary of War, and to be expended in the discretion of the commanding officers of the several military departments, corps areas, districts, armies, and tactical commands, \$9,000.

Chief of Coast Artil-  
lery.

#### CHIEF OF COAST ARTILLERY.

School, Fort Monroe,  
Va.

##### COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA.

Incidental expenses.

For incidental expenses of the school, including chemicals, stationery, printing, and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; for office furniture and fixtures, machinery, motor trucks, and unforeseen expenses, \$12,000.

Special apparatus,  
etc.

For purchase of engines, generators, motors, machines, measuring and nautical instruments, special apparatus, and materials for the enlisted specialists' division, \$10,000.

For purchase of special apparatus and materials and for experimental purposes for the artillery and military art departments, \$1,500.

For purchase of engines, generators, motors, machines, measuring instruments, special apparatus, and materials for the engineering department, \$2,000.

Books, etc.

For purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defense, \$2,500: *Provided*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation:

*Proviso.*  
R. S., sec. 3648, p. 718.

*Provided further*, That purchase and exchange of typewriting machines, to be paid for from this appropriation, may be made at the special price allowed to schools teaching stenography and typewriting without obligating typewriter companies to supply these machines to all departments of the Government at the same price.

In all, Coast Artillery School, \$28,000.

Special price for typewriters.

## OFFICE OF THE CHIEF SIGNAL OFFICER.

Chief Signal Officer.

### SIGNAL SERVICE OF THE ARMY.

Signal Service.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipments and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motor cycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use in the office of the Chief Signal Officer and the Signal Corps School, Camp Alfred Vail, New Jersey; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, but not including payment for individual telegraph messages transmitted over commercial lines; electrical installations and maintenance at military posts, cantonments, camps, and stations of the Army; fire control and direction apparatus and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; tuition, laboratory fees, and so forth, for Signal Corps officers detailed to civilian technical schools for the purpose of pursuing technical courses of instruction along Signal Corps lines; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$2,835,000: *Provided*, That not to exceed \$600,000 from this appropriation may be expended for salaries and wages of civilian employees; not to exceed \$450,000 may be expended for commercial and existing Government-owned telephone and telegraph service; not to exceed \$1,000,000 may be expended for signal equipment for organizations; not to exceed \$7,500 may be expended for pigeon service; not to

Telegraph and telephone systems.  
Purchase, operation, etc.

Camp Alfred Vail, N. J., school.

Telephones, etc.

Exception.

Electrical installations.

Civilian employees, supplies, etc.

Signaling experiments, etc.

Buildings for supplies, etc.

*proviso.*  
Amounts for civilian employees, telephone and telegraph service, etc.

Camp Alfred Vail.

exceed \$100,000 may be expended for photographic and cinematographic service; and not to exceed \$100,000 may be expended for the operation and maintenance of Camp Alfred Vail.

Washington - Alaska cables, etc.

**WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM.**

Operation, etc., expenses.

For defraying the cost of such extensions, betterments, operation, and maintenance of the Washington-Alaska Military Cable and Telegraph System as may be approved by the Secretary of War, to be available until the close of the fiscal year 1923, from the receipts of the Washington-Alaska Military Cable and Telegraph System which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, \$140,000.

Air Service.

**AIR SERVICE.**

Designated expenses for flying schools, aviation stations, etc.

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft; and all necessary spare parts and equipment connected therewith; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the acquisition of land or interest in land by purchase, lease, or condemnation where necessary to explore for, procure, or reserve helium gas, and also for the purchase, manufacture, construction, maintenance, and operation of plants for the production thereof and experimentation therewith; salaries and wages of civilian employees as may be necessary, and payment of their traveling and other necessary expenses as authorized by existing law; experimental investigation and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including patents and other rights thereto, and plans, drawings, and specifications thereof; for the purchase, manufacture, and construction of airships, balloons, and other aerial machines, including instruments, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of such consulting engineers at experimental stations of the Air Service as the Secretary of War may deem necessary, including necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Service; for printing and binding, including supplies, equip-

Helium production.

Civilian employees.

Purchase, manufacture, etc., of aerial machines, etc.

Disposal of surplus equipment, etc.

Consulting engineers, etc.

Printing, office supplies, etc.

ment, and repairs for such Air Service printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies, and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft, \$19,200,000: *Provided*, That not to exceed \$4,000,000 from this appropriation may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding \$250,000 may be expended for experimentation, conservation, and production of helium; not exceeding \$4,300,000 may be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, including the pay of necessary civilian employees; not exceeding \$500,000 may be expended for the production of lighter-than-air equipment; and not exceeding \$350,000 may be expended for improvement of stations, hangars, and gas plants: *Provided further*, That not less than \$5,500,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*, That claims not exceeding \$250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Chief of Air Service and the Secretary of War: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of \$10,000: *Provided further*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation: *And provided further*, That the Secretary of War is authorized to pay out of funds appropriated for the Air Service of the Army for the fiscal year 1920, the sum of \$1,079.02 to Frank D. Kohn for the use and occupation, for the period from July 1, 1919, to January 9, 1920, of the lands upon which the Air Service engine and plane repair depot is now located near the city of Montgomery, Alabama.

That payments heretofore made by disbursing officers of the United States to the Lonoke Chamber of Commerce, Lonoke, Arkansas, under and pursuant to a lease dated March 20, 1919, providing for the use and occupation by the United States of certain lands near Lonoke, Arkansas, for aeronautical purposes and providing for an increased rental from and after January 1, 1919, are hereby ratified and confirmed.

## FINANCE DEPARTMENT.

### PAY, AND SO FORTH, OF THE ARMY.

#### PAY OF OFFICERS.

For pay of officers of the line and staff, \$46,000,000.

For pay of officers, National Guard, \$100.

For pay of the officers of the Officers' Reserve Corps, \$250,000: *Provided*, That no portion of this appropriation shall be expended for the pay of a reserve officer on active duty for a longer period than fifteen days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the Army Reorganization Act approved June 4, 1920, or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps appropriated for in

*Previous.*  
Allotment to designated expenses.

New airplanes.

Paying damage claims.

Aggregate limit.

Periodicals.  
R. S., sec. 3648, p. 712.

Frank D. Kohn.

Lonoke Chamber of Commerce, Ark.  
Payments to, for lease of lands, ratified.

Finance Department.

Pay of the Army.

Officers.

Line and staff.

National Guard.

Officers' Reserve Corps.

*Previous.*  
General Staff duty limited.

Vol. 41, pp. 760, 763.

Other details.

Vol. 41, p. 776. this Act, or who may be detailed for duty with tactical units of the Air Service, as provided in section 37a of the Army Reorganization Act approved June 4, 1920, or not to exceed three reserve officers in the Judge Advocate General's Department, or except one officer of the Medical Reserve Corps: *Provided further*, That pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the Bureau of the War Risk Insurance treated in Army hospitals may be paid from the funds allotted to the War Department by that bureau under existing law.

Warrant officers. For pay of warrant officers, \$1,413,000.  
Aviation increase, Air Service. For aviation increase, to officers of the Air Service, \$1,000,000.  
Longevity. For additional pay to officers for length of service, \$4,000,000.

#### Enlisted men.

#### PAY OF ENLISTED MEN.

Lane and staff. For pay of enlisted men of the line and staff, \$77,741,370. The Secretary of War shall discharge from the military service with pay and with the form of discharge certificate to which the service of each, after enlistment, shall entitle him, all enlisted men under the age of eighteen on the application of either of their parents or legal guardian, and shall also furnish to each transportation in kind from the place of discharge to the railroad station at or nearest to the place of acceptance for enlistment, or to his home if the distance thereto is no greater than from the place of discharge to the place of acceptance for enlistment, but if the distance be greater he may be furnished with transportation in kind for a distance equal to that from place of discharge to place of acceptance for enlistment; and the Secretary of War is directed under such reasonable regulations as he may prescribe to grant applications for discharge of enlisted men serving in the continental United States without regard to the provisions of existing law respecting discharges until the number in the Army has been reduced to 150,000 enlisted men, not including the Philippine Scouts. The provisions of this paragraph shall take effect immediately upon the approval of this Act.

Applications for discharge to be accepted, until strength reduced to 150,000 men.

Reenlistment allowance repealed. Vol. 41, p. 776.

National Guard. For pay of enlisted men of National Guard, \$100.  
Enlisted Reserve Corps. For pay of enlisted men of the Enlisted Reserve Corps, \$100.  
Aviation increase. For aviation increase, to enlisted men of the Air Service, \$150,000:  
*Provided*, That this appropriation shall not be available for increased pay on flying status to more than five hundred enlisted men.

Flying cadets. Vol. 41, p. 1098.

Philippine Scouts. Nothing contained in Public Resolution Numbered 59 of the Sixty-sixth Congress shall be held to prohibit the enlistment of flying cadets to the number of five hundred.  
Longevity. For pay of the enlisted men of the Philippine Scouts, \$1,046,000.  
For additional pay for length of service to enlisted men, \$4,600,000.

#### Retired list.

#### PAY OF PERSONS WITH RETIRED STATUS.

Officers. For pay of the officers on the retired list, \$5,000,000.  
On active duty. For increase pay to retired officers on active duty, \$275,000.  
Enlisted men. For pay of retired enlisted men, \$4,180,167.  
On active duty. For pay and allowances of retired enlisted men on active duty, \$17,817.  
Philippine Scout officers. For pay of retired Philippine Scout officers, \$185,640.  
Pay clerks. For pay of retired pay clerks, \$18,562.  
Veterinarians. For pay of retired veterinarians, \$3,570.

CLERKS, MESSENGERS, AND LABORERS, OFFICE OF THE CHIEF OF STAFF. Office of Chief of Staff.

Chief clerk, \$2,500; clerks—one \$2,250, six at \$2,000 each, eight at \$1,800 each, thirteen at \$1,600 each, twenty-one at \$1,400 each, twenty-four at \$1,200 each, twenty-six at \$1,000 each; chief messenger, \$1,000; messengers—three at \$840 each, ten at \$720 each; laborer, \$720; in all, \$147,590. Clerks, messengers, etc.

CLERKS, MESSENGERS, AND LABORERS, GENERAL STAFF COLLEGE. General Staff College.

Chief clerk, \$2,000; clerks—two at \$1,800 each, six at \$1,600 each, seven at \$1,400 each, six at \$1,200 each, three at \$1,000 each; captain of the watch, \$900; six watchmen, at \$720 each; packer, \$840; five messengers, at \$720 each; laborers—one \$720, one \$600; gardener, \$720; five charwomen, at \$240 each; in all, \$48,100. Clerks, messengers, etc.

PAY OF ARMY FIELD CLERKS AND CIVIL SERVICE MESSENGERS AT HEADQUARTERS OF THE SEVERAL TERRITORIAL DEPARTMENTS, CORPS AREAS, ARMY AND CORPS HEADQUARTERS, TERRITORIAL DISTRICTS, TACTICAL DIVISIONS AND BRIGADES, SERVICE SCHOOLS, CAMPS AND PORTS OF EMBARKATION AND DEBARKATION. Headquarters of departments, areas, districts, divisions, etc.

Army field clerks—nine at \$2,000 each, forty-three at \$1,800 each, seventy-seven at \$1,600 each, one hundred and six at \$1,400 each, one hundred and sixty-five at \$1,200 each; one hundred messengers at \$720 each; increased pay for four hundred Army field clerks as provided by the Act of May 18, 1920, \$96,000; in all, \$733,000. Army field clerks, etc.

For additional pay while on foreign service, \$5,000.

For commutation of quarters and of heat and light, \$198,000.

For commutation of quarters and of heat and light for field clerks, Quartermaster Corps, \$75,000: *Provided*, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided further*, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department. Increased pay. Vol. 41, p. 602. Foreign service pay. Commutation of quarters, etc. Quartermaster Corps field clerks. *Providee*. Assignments. Department duty forbidden.

MISCELLANEOUS. Miscellaneous.

For pay of contract surgeons, \$56,801.

For pay of nurses, \$800,000.

For pay of hospital matrons, \$3,000.

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, \$87,500. Contract surgeons. Nurses. Hospital matrons. Courts martial, etc.

For commutation of quarters and heat and light to commissioned officers, warrant officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available, including enlisted men of the Enlisted Reserve Corps and retired enlisted men when ordered to active duty, \$5,000,000. Commutation of quarters, etc.

For interest on soldiers' deposits, \$100,000.

For pay of expert accountant for the Inspector General's Department, \$2,500. Interest, soldiers' deposits. Expert accountant.

For mileage to commissioned officers, warrant officers, members of the Officers' Reserve Corps when ordered to active duty, contract surgeons, expert accountant, Inspector General's Department, Army field clerks and field clerks of the Quartermaster Corps, when authorized by law, \$1,875,000. Mileage, officers, etc.

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| Foreign pay.<br>Officers.  | For additional 10 per centum increase of pay of officers on foreign service, \$325,000.   |
| Enlisted men.  | For additional 20 per centum increase of pay of enlisted men on foreign service, \$1,750,000.   |
| Computer.  | For pay of one computer for Artillery Board, \$2,500.   |
| Loss by exchange.  | For payment of exchange by officers serving in foreign countries and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$5,000.  |
| Officers furnishing<br>mounts.   | For additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, \$200,000.   |
| Jennie Carroll.  | For amount required to make monthly payments to Jennie Carroll, widow of James Carroll, late major, United States Army, \$1,500.  |
| Mabel H. Lazear.   | For amount required to make monthly payments to Mabel H. Lazear, widow of Jesse W. Lazear, late acting assistant surgeon, United States Army, \$1,500.  |
| John R. Kissinger.   | For amount required to make monthly payments to John R. Kissinger, late of Company D, One hundred and fifty-seventh Indiana Volunteer Infantry, also late of the Hospital Corps, United States Army, \$1,200.   |
| Finance Department<br>clerks, etc.   | For compensation of clerks and other employees of the Finance Department, \$1,420,000.  |
| Advanced course<br>training camps.<br>Pay for attending,<br>fiscal year 1921.<br>Vol. 41, p. 956.    | The appropriation for "Pay, and so forth, of the Army," for the fiscal year 1921 shall be available for the authorized pay of members of the Reserve Officers' Training Corps or other persons authorized by the Secretary of War to attend the advanced course training camps during such fiscal year.   |
| Accounts consoli-<br>dated.  | All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, warrant officers, members of the Officers' Reserve Corps when ordered to active duty, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund: <i>Provided</i> , That so much of the unexpended amount of the appropriation for pay, and so forth, of the Army for the fiscal year 1919 as may be necessary to permit payment for the adjustment and settlement of claims of officers, members of the Nurse Corps, and enlisted men for pay and allowances growing out of service in the World War from April 6, 1917, to June 30, 1919, inclusive, shall remain upon the books of the Treasury to the credit of that appropriation until June 30, 1922: <i>Provided further</i> , That the Army shall be reduced by the Secretary of War so that the sum herein appropriated shall defray the entire cost of the pay of the officers and enlisted men of the line and staff during the fiscal year ending June 30, 1922. |
| <i>Proviso.</i><br>Payment for World<br>War service from prior<br>appropriation.<br>Vol. 40, p. 861. |   |
| Army to be reduced<br>to meet appropriation<br>for current year.                                     |   |

Quartermaster Corps.

## QUARTERMASTER CORPS.

Subsistence.

## SUBSISTENCE OF THE ARMY.

Purchase of supplies  
for issue.

Purchase of subsistence supplies: For issue as rations to troops, including warrant officers of the Mine Planter Service, enlisted men of the Enlisted Reserve Corps and retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, nurses, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), Indians employed with the Army as guides and scouts, and

general prisoners at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; hot coffee for troops traveling when supplied with cooked or travel rations; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army: *Provided*, That the sum of \$12,000 is authorized to be expended for supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the National Guard who may be competitors in the national rifle match: *Provided further*, That no competitor shall be entitled to commutation of rations in excess of \$1.50 per day, and when meals are furnished no greater expense than that sum per man per day for the period the contest is in progress shall be incurred. For payments: Of commutation of rations to the cadets of the United States Military Academy in lieu of the regular established ration, at the rate of \$1.08 per ration; of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men and male and female nurses when stationed at places where rations in kind can not be economically issued, including warrant officers of the Mine Planter Service, enlisted men of the Enlisted Reserve Corps and retired enlisted men when ordered to active duty, and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in department and Army rifle competitions while traveling to and from places of contest, male and female nurses on leave of absence, applicants for enlistment, and general prisoners while traveling under orders. For payment of the regulation allowances of commutation in lieu of rations for members of the Army Nurse Corps while on duty in hospital, and for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners sick therein, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, \$29,350,000.

Sales to officers, etc.

Prizes.  
Competitors to national rifle match.

Ration restriction.

Payments.  
Commutation of rations.Army Nurse Corps,  
etc.Prizes for bakers  
and cooks.Expenses of purchasing,  
etc., supplies.

## REGULAR SUPPLIES.

Regular supplies of the Quartermaster Corps, including their care and protection, construction and repair of military reservation fences; stoves and heating apparatus required for the use of the Army for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; and the necessary power for the operation of moving-picture machines; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, and enlisted men, warrant officers, and field clerks, including enlisted men of the Enlisted Reserve Corps, and retired enlisted men when ordered to active duty; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools; and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the Act approved May 31, 1902, and buildings for a similar purpose on military reservations author-

Regular supplies.

Heat and light to  
quarters, etc.Recreation build-  
ings.

Vol. 32, p. 232.



Bakeries; ice machines; laundries.

Supplies for schools, etc.

Forage, etc., for animals.

Stationery, printing, etc.

Provisions. Allotments designated.

Sale of horses and mules not in actual use.

Fuel contracts authorized regardless of fiscal year.

Payments.

ized by War Department regulations; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakeries, including bake ovens and apparatus pertaining thereto and the repair thereof; for ice machines and their maintenance where required for the health and comfort of the troops and for ice for issue to organizations of enlisted men and officers at such places as the Secretary of War may determine, and for preservation of stores; for the construction and maintenance of laundries at military posts in the United States and its island possessions; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for non-commissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of relief maps for issue to organizations, commercial newspapers, market reports, and so forth; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, and for the horses of the several regiments of Cavalry and batteries of Artillery, and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, \$16,500,000: *Provided*, That from this appropriation, not to exceed \$1,750,000 shall be expended for the pay of civilian employees; not to exceed \$1,750,000 shall be expended for power, heat, and electric current, of which not exceeding \$42,300 may be used for improvement of electric power supply system at Governors Island, New York; not to exceed \$100,000 shall be expended for maintenance and repair of buildings (including repair of machinery) for laundries; not to exceed \$300,000 shall be expended for the maintenance and repair of heating apparatus (other than stoves); not to exceed \$200,000 for maintenance and repair of electric wiring and fixtures; not to exceed \$10,000 for the repair and exchange of typewriters; not to exceed \$5,225,000 for fuel; not to exceed \$6,265,000 for forage, including salt and vinegar and bedding for animals, and straw for soldiers' bedding; not to exceed \$350,000 for ice; and not to exceed \$550,000 shall be expended for stationery: *Provided*, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this Act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, such horses and mules now being held at remount stations and posts as are not in actual use: *Provided further*, That hereafter when, in the opinion of the Secretary of War, it is in the interest of the United States so to do, he is authorized to enter into contracts and to incur obligations for fuel in sufficient quantities to meet the requirements for one year without regard to the current fiscal year, and payments for supplies delivered under such contracts

may be made from funds appropriated for the fiscal year in which the contract is made, or from funds appropriated or which may be appropriated for such supplies for the ensuing fiscal year.

#### INCIDENTAL EXPENSES.

Postage; cost of telegrams on official business received and sent by officers of the Army, including members of the Officers' Reserve Corps, when ordered to active duty; for expenses of expresses to and from frontier posts and armies in the field; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States disciplinary barracks, and incidental expenses of recruiting; for the apprehension, securing, and delivering of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$50 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$10 to each dishonorably discharged prisoner upon his release from confinement under court-martial sentence involving dishonorable discharge; and such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other department, \$5,500,000: *Provided*, That from this appropriation not exceeding \$2,450,000 shall be expended for the hire of labor; not exceeding \$2,825,000 shall be expended for the pay of civilian employees other than laborers; not exceeding \$100,000 shall be expended for telegrams, cablegrams, and postage; and not exceeding \$25,000 shall be expended for experimental and development work.

Incidental expenses.

Civilian employees.

*Proviso.*  
Allotments designated.

#### TRANSPORTATION OF THE ARMY AND ITS SUPPLIES.

For transportation of the Army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including warrant officers, members of the Officers' Reserve Corps, enlisted men of the Enlisted Reserve Corps, and retired enlisted men when ordered to active duty, including the cost of packing and crating; for transportation of recruits and recruiting parties, of applicants for enlistment between recruiting stations and recruiting depots; for travel allowance to officers and enlisted men on discharge; for payment of travel allowance as provided in section 3 of the Act approved February 28, 1919, to enlisted men of the National Guard on their discharge from the service of the United States, and to members of the National Guard who have been mustered into the service of the United States, and discharged on account of physical disability; for payment of travel pay to officers of the National Guard on their discharge from the service of the United States, as prescribed in the Act approved March 2, 1901; for travel allowance to discharged prisoners and persons discharged from the Government Hospital for the Insane after transfer thereto from such barracks or place to their homes (or elsewhere as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment; of the necessary agents and other employees, including per diem allowances in lieu of subsistence not exceeding \$4 for those authorized to receive the per diem allowance; of clothing and equipage and other quartermaster stores from Army depots or places of purchase or delivery to the several posts and Army depots and from those depots to the troops in the field; of horse equipment; of ordnance and ordnance

Transportation.

Travel allowance,  
National Guard.  
Vol. 39, p. 217.

National Guard officers on discharge.  
Vol. 31, p. 902.

Per diem subsistence.

stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and Army depots; for payment of wharfage, tolls, and ferriages; for transportation of funds of the Army; for the payment of Army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant Acts), but in no case shall more than 50 per centum of full amount of service be paid: *Provided*, That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large, and shall be accepted as in full for all demands for such service: *Provided further*, That in expending the money appropriated by this Act a railroad company which has not received aid in bonds of the United States and which obtained a grant of public land to aid in the construction of its railroad on conditions that such railroad should be a post route and military road subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulations as Congress may impose restricting the charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provisions only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed 50 per centum of the compensation of such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service: *Provided further*, That nothing in the preceding provisos shall be construed to prevent the accounting officers of the Government from making full payment to land-grant railroads for transportation of property or persons where the courts of the United States have held that such property or persons do not come within the scope of the deductions provided for in the land-grant Acts; for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and horse-drawn passenger-carrying vehicles as are required for the transportation of troops and supplies and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans, \$28,725,000: *Provided*, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Animal-drawn transportation, \$1,530,000; transportation by water, \$10,620,000; rail transportation, \$10,200,000; and motor transportation, \$6,375,000: *Provided further*, That not more than \$10,000 of this appropriation shall be expended for the purchase of draft or pack animals or animal-drawn vehicles: *Provided further*, That no money appropriated by this Act shall be expended for the hire, operation, maintenance, or repair of any motor-propelled vehicle which shall be employed wholly or in part for personal, social, or similar use, except such use as is prescribed by order for the transportation of Army personnel in connection with the recreational

Payment to land-grant railroads.

*Proviso.*  
Compensation rates.

Fifty per cent to roads not bond aided.

Full payment to excepted roads.

Draft and pack animals, vehicles, etc.

Ships, boats, etc.

Transports.

Allotments to animal drawn, water, rail, and motor.

Purchase of animals, etc., limited.

Motor vehicle restriction.

activities of the Army: *And provided further*, That the Secretary of War is authorized and directed to sell or to dispose of by transfer to the Department of Agriculture under existing laws, for its own use and the use of the several States, in road work and maintenance of roads so many motor trucks and passenger-carrying automobiles as will, in addition to such trucks and automobiles as have been sold or transferred since January 1, 1921, aggregate during the first nine months of the calendar year, ten thousand motor trucks and two thousand passenger-carrying automobiles: *And provided further*, That hereafter, when, in the opinion of the Secretary of War, accommodations are available, transportation on Army transports may be provided for the members and employees of the Porto Rican Government and their families on official business without expense to United States: *And provided further*, That \$250,000 of the appropriation hereby made shall be available for additional pay for employees on harbor boats, quartermaster service, in lieu of subsistence: *And provided further*, That none of the funds appropriated or made available under this Act or any of the unexpended balances of any other Act shall be used for the purchase of motor-propelled passenger or freight carrying vehicles for the Army except those that are purchased solely for experimental purposes: *And provided further*, That hereafter the cost of transportation of civilian employees and of materials in connection with the construction or maintenance of seacoast fortifications, or the acquisition of land therefor, by the Engineer Department, or with the manufacturing and purchase activities of the Ordnance Department and the Chemical Warfare Service, shall be charged to the appropriations for the work in connection with which such transportation charges are incurred.

Disposal of additional motor vehicles directed.

Aggregate number.

Porto Rican officials, etc., on transports.

Employees on harbor boats.

Motor vehicle purchases restricted.

Transportation of civilian employees on designated activities to be paid therefrom.

#### WATER AND SEWERS AT MILITARY POSTS.

For procuring and introducing water to buildings and premises at such military posts and stations as from their situations require to be brought from a distance; for the installation and extension of plumbing within buildings where the same is not specifically provided for in other appropriations; for the purchase and repair of fire apparatus, including fire-alarm systems; for the disposal of sewage, and expenses incident thereto; for repairs to water and sewer systems and plumbing; for hire of employees, \$2,000,000: *Provided*, That not to exceed \$10,000 of this appropriation shall be expended for new construction work.

Water, sewers, etc., at posts.

*Provide.*  
New construction limited.

#### CLOTHING, AND CAMP AND GARRISON EQUIPAGE.

For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including enlisted men of the Enlisted Reserve Corps and retired enlisted men when ordered to active duty; for issue and for sale at cost price according to the Army regulations; for payment of commutation of clothing due to warrant officers of the Mine Planters Service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries; for equipment and repair of equipment of dry-cleaning plants, salvage and sorting storehouses, hat repairing shops, shoe repair shops, clothing repair shops, and garbage reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' materials, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessities; for a suit of citizen's

Clothing, and camp and garrison equipage.

Purchase, manufacture, etc.

Equipage, etc.

Indemnity for destroyed clothing, etc.

*Proviso.*  
Settlement of clothing accounts.

Uniforms.  
Issue to discharged enlisted men, repealed.  
Vol. 40, p. 1262.  
*Proviso.*  
Applications allowed to June 1, 1921.

Amounts for transportation allowed from specified appropriations.

outer clothing, to cost not exceeding \$30, to be issued when necessary to each soldier discharged otherwise than honorably; to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison; and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$12,000,000: *Provided*, That hereafter the settlement of clothing accounts of enlisted men, including charges for clothing drawn in excess of clothing allowance and payments of amounts due them when they draw less than their allowance, shall be made at such periods and under such regulations as may be prescribed by the Secretary of War.

That portion of the Act of February 28, 1919, relating to the issuance of uniforms to discharged enlisted men is hereby repealed: *Provided*, That such uniforms shall be issued in accordance with the provisions of said Act to those enlisted men who served in the Army of the United States at any time between April 6, 1917, and January 1, 1920, whose applications therefor shall have been received at the War Department prior to June 1, 1921: *Provided further*, That there may be transferred during the fiscal year 1922 from the appropriations contained herein for "Subsistence of the Army," "Regular Supplies, Quartermaster Corps," "Incidental Expenses, Quartermaster Corps," "Water and sewers at military posts," and "Clothing and camp and garrison equipage," to the appropriation for "Transportation of the Army and its supplies," such amounts as may be necessary.

Horses.

#### HORSES FOR CAVALRY, ARTILLERY, ENGINEERS, AND SO FORTH.

Purchase.

For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts for officers entitled to public mounts for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian Scouts, and for such Infantry and members of the Medical Department in field campaigns as may be required to be mounted, and the expenses incident thereto (including \$50,000 for purchase of remounts, and \$150,000 for encouragement of the breeding of riding horses suitable for the Army, including cooperation with the Bureau of Animal Industry, Department of Agriculture, and for the purchase of animals for breeding purposes and their maintenance), \$200,100: *Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and unless otherwise ordered by the Secretary of War no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, within a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy: *Provided further*, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at

Encouraging breeding of riding horses.

*Proviso.*  
Number limited.

Open market purchases.

Standard required.

Polo ponies.

any other place: *Provided further*, That the Secretary of War may, in his discretion, and under such rules and regulations as he may prescribe, accept donations of animals for breeding and donations of money or other property to be used as prizes or awards at agricultural fairs, horse shows, and similar exhibitions, in order to encourage the breeding of riding horses suitable for Army purposes: *And provided further*, That the Secretary of War shall report annually to Congress, at the commencement of each session, a statement of all expenditures under this appropriation, and full particulars of means adopted and carried into effect for the encouragement of the breeding of riding horses suitable for the military service.

Acceptance of donated breeding animals, etc.

Report of expenditures.

#### BARRACKS AND QUARTERS.

Barracks and quarters.

For barracks, quarters, stables, storehouses, magazines, administration and office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Coast Artillery; for construction of reclamation plants; for constructing and repairing public buildings at military posts; for hire of employees; for rental of the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for non-commissioned officers and enlisted men, men on duty where public quarters are not available, including enlisted men of the Regular Army Reserve, retired enlisted men, and members of the enlisted Reserve Corps when ordered to active duty; for grounds for cantonments, camp sites, and other military purposes, and for buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts as may be approved by the Secretary of War; for wall lockers in permanent barracks and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks and officers' quarters, and for flooring and framing for tents, and for the National Guard when called or drafted into the service of the United States, \$6,860,000: *Provided*, That this appropriation shall not be available for the rent of offices for military attachés.

Construction, repairs, etc.

Rentals.

Grounds, sites, etc.

Furniture, etc.

National Guard in service.  
*Provided*.  
Office rent, military attachés, excluded.

#### MILITARY POST EXCHANGES.

Post exchanges.

For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, for the conduct and maintenance of hostess houses, chapels, and gymnasium, including repairs to buildings erected at private cost, in the operation of the Act approved May 31, 1902, for the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits and for similar and other recreational purposes at training and mobilization camps now established, or which may be hereafter established, \$150,000.

Construction, equipment, etc.

Hostess houses, recreation buildings, etc.,

Vol. 32, p. 282.

#### BARRACKS AND QUARTERS, PHILIPPINE ISLANDS.

Philippine Islands.

Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including repairs and payments of rents, the acquisition of title to building sites, and such addi-

Shelter for troops in.

Troops in China.  
*Provide.*  
 Limit, quarters for officers.

tions to existing military reservations as may be necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, and for shelter and repair thereof, and rentals for the United States troops in China, \$300,000: *Provided*, That no part of said sum shall be expended for the construction of quarters for officers of the Army the total cost of which, including the heating and plumbing apparatus, wiring, and fixtures, shall exceed in the case of quarters of a general officer the sum of \$8,000; of a colonel or officer above the rank of captain, \$6,000; and of an officer of and below the rank of captain, \$4,000.

Roads, wharves, etc.

#### ROADS, WALKS, WHARVES, AND DRAINAGE.

Construction, re-  
 pairs, etc.

*Provide.*  
 Camps, etc., excluded.

For the construction and repair by the Quartermaster Corps of roads, walks, and wharves; for the pay of employees; for the disposal of drainage; for dredging channels; and for care and improvement of grounds at military posts and stations, \$900,000: *Provided*, That none of the funds appropriated or made available under this Act shall be used for the permanent construction of any roads, walks, or wharves connected with any of the National Army cantonments or National Guard camps.

Hospitals.

#### CONSTRUCTION AND REPAIR OF HOSPITALS.

Construction, re-  
 pairs, etc.

Temporary camp  
 hospitals, etc.

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Arkansas, and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repairs of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers and electric work, cooking apparatus, and roads and walks for the same, \$900,000.

Quarters for hospital  
 stewards.

#### QUARTERS FOR HOSPITAL STEWARDS.

Construction and re-  
 pair.

For construction and repair of quarters for hospital stewards at military posts already established and occupied, \$15,000.

Shooting galleries  
 and ranges.

#### SHOOTING GALLERIES AND RANGES.

Expenses.

For shelter, grounds, shooting galleries, ranges for small-arms target practice, machine-gun practice, field artillery practice, repairs, and expenses incident thereto, including flour for paste for marking targets, hire of employees, such ranges and galleries to be open, as far as practicable, to the National Guard and organized rifle clubs, under regulations to be prescribed by the Secretary of War, \$50,000.

Target practice, etc.,  
 damages.

#### CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY.

Payment of claims.

For payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, to be immediately available and to remain available until expended,

\$100,000: *Provided*, That settlement of such claims shall be made by the Auditor for the War Department, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages.

*Provide.*  
Settlement, etc.

#### RENT OF BUILDINGS, QUARTERMASTER CORPS.

For rent of buildings and parts of buildings in the District of Columbia for military purposes during the fiscal year 1922, \$150,000: *Provided*, That this appropriation shall not be available if space is provided by the Public Buildings Commission in Government-owned buildings.

Rent.

Building in District of Columbia.

*Provide.*  
Restriction.

#### VOCATIONAL TRAINING.

Vocational training.

For the employment of the necessary civilian instructors in the most important trades, and for the payment of their traveling expenses, as authorized under existing law; for the purchase of carpenter's, machinist's, mason's, electrician's, and such other tools and equipment as may be required, including machines used in connection with the trades; for the purchase of materials, live stock (including fowls), and other supplies necessary for instruction and training purposes, and the construction, repair, or alteration of such buildings needed for vocational training in agriculture; for shops, storage, and shelter of machinery as may be necessary to carry out the provisions of section 27 of the Act approved June 3, 1916, authorizing, in addition to the military training of soldiers while in the active service, means for securing an opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations, part of this instruction to consist of vocational education either in agriculture or the mechanic arts, \$1,200,000: *Provided*, That whenever possible officers, warrant officers, noncommissioned officers, or other enlisted men shall be detailed as instructors: *Provided further*, That no part of this appropriation shall be available for salaries of civilian instructors other than in technical branches: *And provided further*, That not more than \$100,000 shall be expended for salaries and no person shall be employed hereunder at a rate of compensation exceeding \$3,000 per annum: *And provided further*, That farm products and the increase in live stock (including fowls) which accrue as incidental to vocational training in agriculture and animal husbandry shall be sold under such regulations as the Secretary of War may prescribe, and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

Instructors, tools, equipment, etc.

Vol. 30, p. 188.

*Provide.*  
Use of Army instructors.  
Civilian employees restricted.

Pay restriction.

Disposal of farm products, etc.

#### QUARTERMASTER SUPPLIES AND SERVICES FOR RIFLE RANGES FOR CIVILIAN INSTRUCTION.

Civilian military instruction.

To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors; for clerical services; for badges and other insignia; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citi-

Expenses of rifle ranges, etc., for.



*Proviso.*  
Civilian rifle teams  
at national matches.

zens of the United States in marksmanship, and their participation in national and international matches, to be expended under the direction of the Secretary of War, and to remain available until expended, \$100,000: *Provided*, That out of the said sum of \$100,000 there may be expended for the payment of transportation, for supplying meals, or furnishing commutation of subsistence of civilian rifle teams authorized by the Secretary of War to participate in the national matches, not to exceed \$80,000.

Reserve Officers'  
Training Corps.

#### QUARTERMASTER SUPPLIES, EQUIPMENT, AND SO FORTH, RESERVE OFFICERS' TRAINING CORPS.

Quartermaster sup-  
plies, etc., to units of.

For the procurement and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, and to forage at the expense of the United States public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit; or in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920, \$2,896,553, to remain available until December 31, 1922.

Training camps.

Commutation of  
traveling expenses.

Return pay in ad-  
vance.

Vol. 30, p. 193.  
Vol. 41, p. 777.

Other schools and  
colleges.

#### MILITARY SUPPLIES AND EQUIPMENT FOR SCHOOLS AND COLLEGES.

Military supplies  
and equipment for.  
Vol. 41, p. 780.  
R. S., sec. 1225, p. 216.  
Vol. 41; p. 776.

For the procurement and issue as provided in section 55-c of the Act approved June 4, 1920, and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, including the transporting of same, and the overhauling and repair of personal equipments, machine-gun outfits, and horse equipments, as the Secretary of War shall deem necessary for proper military training in said schools and colleges, \$10,000: *Provided*, That no part of this appropriation shall be expended for the purchase of arms or other ordnance equipment.

*Proviso.*  
Ordnance equip-  
ment excluded.

Storage and ship-  
ping facilities.

#### INLAND AND PORT STORAGE AND SHIPPING FACILITIES.

Expenses of inland  
and port.

For inland and port storage, including all necessary buildings, docks, tracks, handling, and other facilities for Government supplies, including rentals and hire of the necessary employees, and for cold

storage, \$100: *Provided*, That not to exceed \$7,000,000 of the funds heretofore appropriated for inland and port storage and shipping facilities shall be available for obligation on and after July 1, 1921: *Provided further*, That no part of the appropriations for inland and port storage and shipping facilities available for the fiscal year 1922, shall be available for the payment of clerical services pertaining to the activities of the Quartermaster Corps in the District of Columbia or elsewhere: *Provided further*, That not to exceed \$93,000 from funds heretofore appropriated for this purpose may be used in the erection and completion of a power house in connection with quartermaster warehouse numbered five at Philadelphia, Pennsylvania.

*Proviso.*  
Funds available  
after July 1, 1921.

Payment from, for  
clerical services in the  
District forbidden.

Philadelphia, Pa.,  
warehouse.

## MEDICAL DEPARTMENT.

Medical Depart-  
ment.

### MEDICAL AND HOSPITAL DEPARTMENT.

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals, of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department, for tuition of officers of the Medical Department, including the Army Nurse Corps, under section 127-a of the Army Reorganization Act approved June 4, 1920; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of the Army and Navy Hospital at Hot Springs, Arkansas; for advertising, printing, binding, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$2,000,000.

Medical and hospital  
supplies, etc.

Mosquito destruc-  
tion.

Private treatment,  
etc.

*Proviso.*  
Not applicable if on  
furlough, etc.

Contagious diseases  
expenses.

Tuition of officers.

Vol. 41, p. 786.

Hot Springs Hos-  
pital, Ark.

### HOSPITAL CARE, CANAL ZONE GARRISONS.

Canal Zone.

For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request

Care of troops, etc.,  
at hospitals in.

*Proviso.*  
Subsistence pay-  
ment.

of proper military authority, \$60,000: *Provided*, That the subsistence of the said patients, except commissioned officers, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals.

Medical Museum.

#### ARMY MEDICAL MUSEUM.

Preserving speci-  
mens, etc.

For Army Medical Museum, preservation of specimens, and the preparation and purchase of new specimens, \$10,000.

Library.

#### LIBRARY, SURGEON GENERAL'S OFFICE.

Purchase of books,  
etc.

For the library of the Surgeon General's Office, including the purchase of the necessary books of reference and periodicals, \$15,000.

Insular Affairs  
Bureau.

#### BUREAU OF INSULAR AFFAIRS.

Care of insane  
soldiers.

#### CARE OF INSANE FILIPINO SOLDIERS.

In Philippine Is-  
lands.  
Vol. 35, p. 122.

For care, maintenance, and treatment at asylums in the Philippine Islands of insane natives of the Philippine Islands cared for in such institutions conformable to the Act of Congress approved May 11, 1908, \$2,000.

#### CARE OF INSANE SOLDIERS OF PORTO RICO REGIMENT OF INFANTRY.

In Porto Rico.

For care, maintenance, and treatment at asylums in Porto Rico of insane soldiers of the Porto Rico Regiment of Infantry, \$100.

Engineer Depart-  
ment.

#### ENGINEER DEPARTMENT.

Engineer depots.

#### ENGINEER DEPOTS.

Incidental expenses.

For incidental expenses for the depots, including fuel, lights, chemicals, stationery, hardware, machinery, pay of civilian clerks, mechanics, laborers, and other employees; for lumber and materials and for labor for packing and crating engineer supplies; repairs of, and for materials to repair, public buildings, machinery, and instruments, and for unforeseen expenses, \$20,000.

School, D. C.

#### ENGINEER SCHOOL.

Equipment and  
maintenance.

Equipment and maintenance of the Engineer School, including purchase and repair of instruments, machinery, implements, models, boats, and materials for the use of the school and to provide means for the theoretical and practical instruction of Engineer officers and troops in their special duties as sappers and miners; for land mining, pontoniering, and signaling; for purchase and binding of scientific and professional works, papers, and periodicals treating on military engineering and scientific subjects, textbooks and books of reference for the library of the United States Engineer School; for incidental expenses of the school, including chemicals, stationery, hardware, machinery, and boats; for pay of civilian clerks, draftsmen, electricians, mechanics, and laborers; compensation of civilian lecturers and payment of tuition fees of not to exceed fifty student officers at civil technical institutions in addition to the 2 per centum of commissioned officers authorized to attend technical, professional, and other educational institutions as provided for in section 127a of the National Defense Act of June 3, 1916, as amended by the Act of June

Incidental expenses.

Tuition at civil tech-  
nical institutions.

Vol. 41, p. 786.

4, 1920; for unforeseen expenses; for travel expenses of officers on journeys approved by the Secretary of War and made for the purpose of instruction: *Provided*, That the traveling expenses herein provided for shall be in lieu of mileage and other allowances; and for other absolutely necessary expenses: *Provided further*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation, \$45,000.

Travel expenses of officers.

*Proviso.*  
In lieu of mileage.

Periodicals.  
R.S., sec. 3648, p. 718.

#### ENGINEER EQUIPMENT OF TROOPS.

Equipment of troops.

For pontoon material, tools, instruments, supplies, and appliances required for use in the engineer equipment of troops, for military surveys, and for engineer operations in the field, including the purchase, maintenance, operation, and repair of the necessary motor cycles; the purchase and preparation of engineer manuals and procurement of special paper for same, and for a reserve supply of above equipment, \$145,000.

Materials, tools, supplies, etc.

#### CIVILIAN ASSISTANTS TO ENGINEER OFFICERS.

Civilian assistants.

For services of surveyors, survey parties, draftsmen, photographers, master laborers, and clerks to Engineer officers on the staffs of division, corps, and department commanders, \$40,000.

Surveyors, etc.

#### ENGINEER OPERATIONS IN THE FIELD.

Field operations.

For expenses incident to military engineer operations in the field, including the purchase of material and a reserve of material for such operations, the construction or rental of storehouses within and outside of the District of Columbia, the purchase, operation, maintenance, and repair of horse-drawn and motor-propelled passenger-carrying vehicles, and such expenses as are ordinarily provided for under appropriations for "Engineer Depots," "Civilian assistants to engineer officers," and "Maps, War Department," \$220,000: *Provided*, That when to the interest of the Government funds appropriated under this head may be used for the purchase of options on materials for use in engineer operations in the field: *Provided further*, That so much of this appropriation as is necessary to provide facilities for Engineer training of troops may be expended for military construction work of a temporary character at camps and cantonments and in training areas, for training purposes only.

Expenses.

*Proviso.*  
Purchase of options on materials.

Temporary construction for training.

#### CONTINGENCIES, ENGINEER DEPARTMENT, PHILIPPINE ISLANDS.

Philippine Islands.

For contingent expenses incident to the operations of the Engineer Department in the Philippine Islands, to be expended at the discretion of the Secretary of War, \$2,500.

Engineer contingencies.

#### MILITARY SURVEYS AND MAPS.

Military surveys and maps.

For the execution of topographic and other surveys, the securing of such extra topographic data as may be required, and the preparation and printing of maps required for military purposes, to be immediately available and remain available until December 31, 1922, \$25,000: *Provided*, That the Secretary of War is authorized to secure the assistance, wherever practicable, of the United States Geological Survey, the Coast and Geodetic Survey, or other mapping agencies of the Government in this work and to allot funds therefor to them from this appropriation.

Expenses of procuring, etc.

*Proviso.*  
Assistance of other offices.

## Alaska.

CONSTRUCTION AND MAINTENANCE OF MILITARY AND POST ROADS,  
BRIDGES, AND TRAILS, ALASKA.Roads, bridges, and  
trails in.Proviso.  
Use of contributed  
funds for construction  
work, etc.Investigating facili-  
ties for road communi-  
cation with designated  
coal deposits.

For the construction, repair, and maintenance of military and post roads, bridges, and trails, Territory of Alaska, to be immediately available, \$425,000: *Provided*, That the Secretary of War is hereby authorized to receive from the Territory of Alaska, or other source, such funds as may be contributed by them to be expended in connection with funds appropriated by the United States for any authorized work of construction, repair, and maintenance of roads, bridges, ferries, trails, and related works in the Territory of Alaska, and to cause such funds to be deposited to the credit of the Treasurer of the United States, and to expend the same in accordance with the purpose for which they were contributed: *Provided further*, That not to exceed \$10,000 of the foregoing amount shall be expended for a preliminary investigation and report on the feasibility, desirability, and cost of the best and most practicable connection between the Nome-Shelton system of communications and the coal deposits of the Kugruk River, Chicago Creek, and the Keewalik mining district, whether by wagon road, sled road, tramway, trail, or other means.

Ordnance Depart-  
ment.

## ORDNANCE DEPARTMENT.

## ORDNANCE SERVICE.

Current expenses.

For the current expenses of the Ordnance Department in connection with purchasing, receiving, storing, and issuing ordnance and ordnance stores, comprising police and office duties, rents, tolls, fuel, light, water, and advertising, stationery, typewriters, and adding machines, including their exchange, and office furniture, tools, and instruments of service; for incidental expenses of the Ordnance Service and those attending practical trials and tests of ordnance small arms, and other ordnance stores; for instruction purposes; for publications for libraries of the Ordnance Department, including the Ordnance Office; subscriptions to periodicals, which may be paid for in advance; and payment for mechanical labor in the office of the Chief of Ordnance; and for maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles, \$2,900,000: *Provided*, That no money appropriated herein shall be expended for maintenance, repair, or operation of any motor-propelled passenger-carrying vehicle employed wholly or in part for personal, social, or other similar use or for any use except for military and official business: *Provided further*, That all material purchased under the appropriations in this Act for the Ordnance Department of the United States Army shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases abroad, which material shall be admitted free of duty.

Proviso.  
Vehicle restriction.Material to be of  
American manufac-  
ture.

Ammunition.

## ORDNANCE STORES, AMMUNITION.

Manufacture, etc., of,  
for small arms, air-  
plane bombs, etc.

For the development, manufacture, purchase, and maintenance of airplane bombs; of ammunition for small arms and for hand use for reserve supply; of ammunition for burials at the National Soldiers' Home in Washington, District of Columbia, and of ammunition for firing the morning and evening gun at military posts prescribed by General Orders, Numbered 70, Headquarters of the Army, dated July 23, 1867, and at National Home for Disabled Volunteer Soldiers and its several branches, including National Soldiers' Home at Washington, District of Columbia, and Soldiers' and Sailors' State homes, \$675,000.

**SMALL-ARMS TARGET PRACTICE.**

Small arms target practice.

Ammunition, targets, etc.

For manufacture and purchase of ammunition, targets, and other accessories for small arms, hand and machine gun target practice and instruction; and ammunition, targets, target materials, and other accessories which may be issued for small-arms target practice and instruction at the educational institutions and State soldiers' and sailors' orphans' homes to which issues of small arms are lawfully made, under such regulations as the Secretary of War may prescribe, \$250,000.

**MANUFACTURE OF ARMS.**

Manufacture of arms.

At arsenals.

For manufacturing, repairing, procuring, and issuing arms at the national armories, \$400,000.

**ORDNANCE STORES AND SUPPLIES.**

Stores and supplies.

Airplane bombs, sighting devices, etc.

Preserving, etc.

Purchases, etc., for issue.

For the manufacture, test, purchase, and maintenance of sighting devices for airplane bombs, of carrying and releasing devices for airplane bombs; for overhauling, cleaning, repairing, and preserving ordnance and ordnance stores in the hands of troops and at the arsenals, posts, and depots; for purchase and manufacture of ordnance stores to fill requisitions of troops, \$150,000.

**NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS.**

Rifle contests.

Furnishing national trophy, medals, prizes, etc.

National Board for Promotion of Rifle Practice.

For the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifle clubs, and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes hereinbefore prescribed, under the direction of the Secretary of War, \$10,000.

**AUTOMATIC MACHINE RIFLES.**

Automatic Machine Rifles.

Purchase, manufacture, etc.

For the purchase, manufacture, test, repair, and maintenance of automatic machine rifles, or other automatic or semiautomatic guns, including their mounts, sights, and equipments, and the machinery necessary for their manufacture, to remain available until June 30, 1923, \$375,000.

**TANKS.**

Tanks.

Purchase, etc., of, and other armored vehicles.

For the purchase, manufacture, test, maintenance, and repair of tanks and other self-propelled armored vehicles, to remain available until June 30, 1923, \$450,000.

**CHEMICAL WARFARE SERVICE.**

Chemical Warfare Service.

Purchase, manufacture, etc., of gases, etc.

For the purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas warfare purposes, including all necessary investigations, research, design, experimentation, and operations connected therewith; purchase of chemicals, special sci-

Buildings, machinery, etc.     entific and technical apparatus and instruments; construction, maintenance, and repair of plants, buildings, and equipment and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuel, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriters and adding machines, including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals which may be paid for in advance; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary field schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges, \$1,350,000.

Organizing, etc., special gas troops.

Current expenses.

## National Guard.

## NATIONAL GUARD.

## Arming, etc.

## ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD.

## Animals.

For purchase of animals for mounted units, \$100.

## Forage, etc.

For procurement of forage, bedding, and so forth, for animals, \$1,500,000.

## Care, etc.

For compensation of help for care of matériel, animals, and equipment, \$1,300,000.

## Instruction camps.

For expenses, camps of instruction, \$6,000,000.

## Service schools' instruction.

For expenses, selected officers and enlisted men, military service schools, \$225,000.

## Details from Army.

For pay and allowances, officers, National Guard, detailed with Army, \$100,000.

## Property, etc., officers.

For pay of property and disbursing officers for the United States, \$45,000.

## General expenses, equipment, etc.

For general expenses, equipment and instruction, National Guard, \$750,000.

## Travel, Army officers.

For travel of officers and noncommissioned officers of the Regular Army in connection with the National Guard, \$85,000.

## Property repairs.

For repair of Federal property issued to the National Guard, \$5,000.

## Transporting supplies.

For transportation of equipment and supplies, \$175,000.

## Sergeant instructors.

For expenses, sergeant-instructors, \$110,000.

For office rent, and so forth, inspector-instructors, \$9,000.

## Armory drill pay.

## Proviso.

## Interchangeable expenses.

For pay of National Guard (armory drills), \$9,750,000: *Provided*, That 20 per centum of the foregoing amounts for arming, equipping, and training the National Guard shall be available interchangeably for expenditure for the purposes named; but not more than 20 per centum shall be added to the amount appropriated for any one of such purposes.

## Field service arms, equipment, etc.

## ARMS, UNIFORMS, EQUIPMENT, ETC., FOR FIELD SERVICE, NATIONAL GUARD.

## Purchase or manufacture of, for issue.

To procure by purchase or manufacture and issue from time to time to the National Guard upon requisition of the governors of the several States and Territories, or the commanding general, National Guard of the District of Columbia, such number of United States service arms with all accessories, Field Artillery and Coast Artillery matériel, Engineer, Signal, and sanitary matériel, accouterments, field uniforms, clothing, equipage, publications, and military stores of all kinds, including public animals, and a reserve supply of such

arms, matériel, accouterments, field uniforms, clothing, equipage, and military stores of all kinds, as are necessary to arm, uniform, and equip for field service the National Guard of the several States, Territories, and the District of Columbia, \$5,500,000: *Provided*, That members of the National Guard who have or shall become entitled for a continuous period of less than one month to Federal pay at the rates fixed for the Regular Army, whether by virtue of a call by the President, of attendance at school or maneuver, or of any other cause, and whose accounts have not yet been settled, shall receive such pay for each day of such period; and the thirty-first day of a calendar month shall not be excluded from the computation: *Provided further*, That the Secretary of War is hereby directed to issue from surplus or reserve stores and matériel now on hand and purchased for the United States Army such articles of clothing and equipment and Field Artillery matériel and ammunition as may be needed by the National Guard organized under the provisions of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by the Act approved June 4, 1920. This issue shall be made without charge against militia appropriations.

*Proviso.*  
Army pay for service of less than one month.

Clothing, equip-  
ment, etc., from sur-  
plus Army stores.

Vol. 39, p. 197.  
Vol. 41, p. 790.

Not charged to mil-  
itia appropriations.

### MISCELLANEOUS.

Miscellaneous.

#### ORDNANCE EQUIPMENT FOR RIFLE RANGES FOR CIVILIAN INSTRUCTION.

Civilian military in-  
struction.

For arms, ammunition, targets, and other accessories for target practice for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law, \$100.

Arms, etc., for rifle  
target practice.

#### CIVILIAN MILITARY TRAINING CAMPS.

Civilian training  
camps.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47-d of the National Defense Act of June 3, 1916, as amended by the Act of June 4, 1920, uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, and transportation, or in lieu of such transportation and of subsistence for travel to and from camps, travel allowances at 5 cents per mile, as prescribed in said section 47-d, \$900,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person who is over thirty-five years of age.

Expenses for uni-  
forms, transportation,  
etc., on attending.  
Vol. 39, p. 194; Vol.  
41, p. 779.

*Proviso.*  
Age limitation.

#### ORDNANCE STORES, EQUIPMENT, AND SO FORTH, RESERVE OFFICERS' TRAINING CORPS.

Reserve Officers'  
Training Corps.

For arms and ordnance equipment, including overhauling and repairing of personal equipments, machine-gun outfits, and horse equipments for use in connection with the Reserve Officers' Training Corps, established by the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by the Act of June 4, 1920, \$100.

Arms, ordnance  
equipments, etc., for  
units of.  
Vol. 39, p. 192.

Vol. 41, p. 777.

#### TANK SERVICE.

Tank Service.

For payment of the necessary civilian employees to assist in handling the clerical work in the office of the tank center, tank schools,

Civilian employees.



and the various tank organization headquarters; and for the payment of the necessary mechanics to assist in repairing and preserving tanks in the hands of Tank units, \$75,000.

**Tank schools.**

**INCIDENTAL EXPENSES, TANK SCHOOLS.**

**Incidental expenses.** Incidental expenses in connection with the operation of the tank schools, \$7,000.

**Articles made at arsenals.** **PURCHASE OF ARTICLES MANUFACTURED AT GOVERNMENT ARSENALS.**

**Restriction on purchases elsewhere.**

No part of the moneys appropriated in this Act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured or produced in each or any of the Government arsenals of the United States for a sum less than it can be purchased or procured otherwise.

**Time measuring devices.**

No pay to officers, etc., using, on work of employees.

That no part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

**Cash bonuses, etc., restricted.**

**Disabled soldiers, etc., traveling on furlough.**

**TRANSPORTATION OF WOUNDED AND OTHERWISE DISABLED SOLDIERS, SAILORS, OR MARINES WHEN TRAVELING ON FURLOUGH.**

Payment to carriers of difference between scheduled rates and one cent a mile.  
Vol. 41, p. 976.

For payment to railroad and steamship companies of the amount required to pay the difference between 1 cent per mile and the scheduled rate for tickets furnished to wounded or otherwise disabled soldiers, sailors, or marines under treatment at any Army, Navy, or other hospital, who are given furloughs in accordance with the provisions of the Army Appropriation Act of June 5, 1920, \$35,000.

**District of Columbia water supply.**  
Expenses of plans, work, etc., for increasing.

For the preparation of plans, the initiation of work, including the employment of all necessary engineering, technical, clerical, and other services, and for any and every purpose connected therewith, for an increased water supply for the District of Columbia, in accordance with Potomac project "E" described in the report submitted by Major M. C. Tyler, Corps of Engineers, \$200,000, to be immediately available and to remain available until expended: *Provided*, That 60 per centum of this sum shall be paid from the revenues of the District of Columbia and 40 per centum from the Treasury of the United States.

**Proviso.**  
Sixty per cent from District revenues.

**Texas National Guard.**  
Claim against released.

The War Department is hereby directed to cancel and abandon the claim in the sum of \$18,583.44 for United States property issued to the National Guard of Texas and lost, damaged, and destroyed during and immediately after the storm and flood at Corpus Christi, Texas, and surrounding country in September, 1919, the property having been furnished for relief of the civilian population.

**Emil Hugli.**  
Pay for services.

That the Secretary of War is authorized, in his discretion, to pay to Emil Hugli, an attorney of Berne, Switzerland, the sum of \$50 as compensation for services rendered the United States at the request of an officer of the United States.

## UNITED STATES MILITARY ACADEMY.

## PERMANENT ESTABLISHMENT.

## Military Academy.

Permanent estab-  
lishment.

## Professors.

## Chaplain.

## Master of the sword.

## Cadets.

Pay for 1922 estab-  
lished.  
Vol. 40, p. 1336.Proviso.  
Credit for clothing  
equipment.New cadets credited  
for initial clothing,  
etc., issues.Increased pay, pro-  
fessors.  
Longevity.Constructing quar-  
termaster.

## Enlisted men.

Military Academy  
Band.  
Pay.

## Longevity.

## Field musicians.

## Pay.

## Longevity.

## Service detachment.

## Pay.

For pay of seven professors, \$26,500.

For pay of one chaplain, \$2,400.

For pay of master of the sword, \$3,500, and the present incumbent shall have the relative rank and be entitled to the pay, allowances, and emoluments of a lieutenant colonel.

For pay of cadets, \$1,200,000.

The pay of cadets for the fiscal year ending June 30, 1922, shall be fixed at \$780 per annum and one ration per day or commutation thereof at the rate of \$1.08 per ration, to be paid from the appropriation for the subsistence of the Army: *Provided*, That the sum of \$250 shall be credited to each cadet who entered the academy since June 15, 1920, and to each such cadet discharged since that date, to the extent of paying any balance due by any such cadet to the academy on account of initial clothing and equipment issued to him: *Provided further*, That hereafter each new cadet shall, upon admission to the United States Military Academy, be credited with the sum of \$250 to cover the cost of his initial clothing and equipment issue, to be deducted subsequently from his pay.

For increased pay of seven professors, \$4,200.

For additional pay of professors and officers for length of service, \$12,000.

For pay of one constructing quartermaster, in addition to his regular pay, \$1,000.

## MILITARY ACADEMY BAND.

For pay of Military Academy Band:

One master sergeant, at \$88.80 per month, \$1,065.60.

Fifteen staff sergeants, at \$54 each per month, \$9,720.

Fifteen privates, first class, at \$35 each per month, \$6,800.

Twenty privates, at \$30 each per month, \$7,200.

Fifteen specialists, second class, at \$20 each per month, \$3,600.

Twenty specialists, third class, at \$15 each per month, \$3,600.

Additional pay for length of service, \$4,500.

In all, Military Academy Band, \$35,985.60.

## FIELD MUSICIANS.

For pay of field musicians:

One staff sergeant, at \$54 per month, \$648.

Two corporals, at \$44.40 each per month, \$1,065.60.

Seven privates, first class, at \$35 each per month, \$2,940.

Twenty-one privates, at \$30 each per month, \$7,560.

Twenty-eight specialists, sixth class, at \$3 each per month, \$1,008.

Additional pay for length of service, \$990.

In all, field musicians, \$14,211.60.

## SERVICE DETACHMENT.

For pay of Service Detachment:

One first sergeant, at \$63.60 per month, \$763.20.

Forty-seven sergeants, at \$54 each per month, \$30,456.

Twenty corporals, at \$44.40 each per month, \$10,656.

Fifty-five privates, first class, at \$35 each per month, \$23,100.

One hundred and fifty-three privates, at \$30 each per month, \$55,080.

Forty specialists, third class, at \$15 each per month, \$7,200.  
 Fifty specialists, fourth class, at \$12 each per month, \$7,200.  
 Eighty specialists, fifth class, at \$8 each per month, \$7,680.  
 Longevity. Additional pay for length of service, \$25,000.  
 In all, Service Detachment, \$167,135.20.

## Cavalry detachment.

## CAVALRY DETACHMENT.

## Pay.

For pay of Cavalry Detachment:

One first sergeant, at \$63.60 per month, \$763.20.

Fourteen sergeants, at \$54 each per month, \$9,072.

Sixteen corporals, at \$44.40 each per month, \$8,524.80.

Sixty-five privates, first class, at \$35 each per month, \$27,300.

One hundred and twenty-four privates, at \$30 each per month,  
 \$44,640.

Ten specialists, fourth class, at \$12 each per month, \$1,440.

Thirteen specialists, fifth class, at \$8 each per month, \$1,248.

Two specialists, sixth class, at \$3 each per month, \$72.

## Longevity.

For additional pay for length of service, \$17,000.

In all, Cavalry Detachment, \$110,060.

## Artillery detachment.

## ARTILLERY DETACHMENT.

## Pay.

For pay of Artillery Detachment:

One first sergeant, at \$63.60 per month, \$763.20.

Twenty-three sergeants, at \$54 each per month, \$14,904.

Twenty-one corporals, at \$44.40 each per month, \$11,188.80.

Seventy-five privates, first class, at \$35 each per month, \$31,500.

One hundred and eighteen privates, at \$30 each per month,  
 \$42,480.

Eight specialists, fourth class, at \$12 each per month, \$1,152.

Fifteen specialists, fifth class, at \$8 each per month, \$1,440.

Three specialists, sixth class, at \$3 each per month, \$108.

For additional pay for expert first-class gunners at \$5 each per month, first-class gunners at \$3 each per month, and second-class gunners at \$2 each per month, \$6,000.

## Longevity.

Additional pay for length of service, \$9,000.

In all, Artillery Detachment, \$118,536.

## Engineer detachment.

## ENGINEER DETACHMENT.

## Pay.

For pay of Engineer Detachment:

One first sergeant, at \$63.60 per month, \$763.20.

Three staff sergeants, at \$54 each per month, \$1,944.

Nine sergeants, at \$54 each per month, \$5,832.

Twelve corporals, at \$44.40 each per month, \$6,393.60.

Thirty-nine privates, first class, at \$35 each per month, \$16,380.

Fifty-two privates, at \$30 each per month, \$18,720.

## Longevity.

Additional pay for length of service, \$5,000.

Additional pay for marksmen, sharpshooters, and expert riflemen,  
 \$2,400.

Two specialists, third class, at \$15 each per month, \$260.

Three specialists, fourth class, at \$12 each per month, \$432.

Two specialists, sixth class, at \$3 each per month, \$72.

In all, Engineer Detachment, \$58,296.80.

## Signal Corps detachment.

## SIGNAL CORPS DETACHMENT.

## Pay.

For pay of Signal Corps Detachment:

One master sergeant, at \$88.80 per month, \$1,065.60.

One technical sergeant, at \$63.60 per month, \$763.20.

One staff sergeant, at \$54 per month, \$648.  
 Two sergeants, at \$54 each per month, \$1,296.  
 Two corporals, at \$44.40 each per month, \$1,065.60.  
 Three privates, first class, at \$35 each per month, \$1,260.  
 Two privates, at \$30 each per month, \$720.  
 One specialist, fifth class (chauffeur), at \$8 per month, \$96.  
 Additional pay for length of service, \$848.40.  
 Additional pay for expert military telegrapher, first-class military telegrapher, and military telegrapher, \$324.  
 In all, Signal Corps Detachment, \$8,086.80.

Longevity.

## COAST ARTILLERY DETACHMENT.

Coast Artillery detachment.

For pay of Coast Artillery Detachment:  
 One first sergeant, at \$63.60 per month, \$763.20.  
 One master sergeant, at \$88.80 per month, \$1,065.60.  
 One technical sergeant, at \$63.60 per month, \$763.20.  
 One staff sergeant, at \$54 per month, \$648.  
 Five sergeants, at \$54 each per month, \$3,240.  
 Twenty-one privates, first class, at \$35 each per month, \$8,820.  
 Nine specialists, fifth class, at \$8 each per month, \$864.  
 For additional pay for first-class gunners, at \$3 each per month, and second-class gunners, at \$2 each per month, \$1,080.  
 Additional pay for length of service, \$3,000.  
 For additional pay of rated men (two plotters, one observer, first class, one observer, second class, and four gun commanders), \$744.  
 In all, Coast Artillery Detachment, \$20,988.

Pay.

Longevity.

## MISCELLANEOUS.

Miscellaneous.

Travel allowance due enlisted men on discharge, \$5,000.  
 Interest on deposits due enlisted men, \$2,000.  
 Additional pay of enlisted men under the last proviso of section 4b of the Army Reorganization Act of June 4, 1920, \$5,000.  
 For pay of one warrant officer, to be on duty in the headquarters, United States Corps of Cadets, \$1,320.  
 For pay of two staff sergeants, to be on duty in the headquarters, United States Corps of Cadets, at \$45 each per month, and additional pay for length of service, \$1,296.  
 For pay of one master sergeant, \$1,420.80.  
 For pay of one master sergeant, \$1,332.  
 For pay of one staff sergeant, \$756.

Travel on discharge.

Interest on deposits.

Additional pay.  
Vol. 41, p. 762.

Special duty pay.

## PAY OF CIVILIANS.

Civilians.

Pay.

For pay of civilians:  
 For pay of one teacher of music, \$2,000.  
 For pay of nine clerks in the office of the quartermaster, as follows:  
 One chief clerk, \$1,800.  
 One clerk, \$1,500.  
 Two clerks, at \$1,400 each, \$2,800.  
 Two clerks, at \$1,200 each, \$2,400.  
 Three clerks and stenographers, at \$1,200 each, \$3,600.  
 For pay of one expert architectural draftsman in office of constructing quartermaster, \$2,500.  
 For pay of twelve clerks and stenographers employed at headquarters, United States Military Academy, in the offices of the superintendent and adjutant, as follows:  
 One chief clerk, \$1,800.  
 One clerk and stenographer to superintendent, \$1,500.  
 Three clerks, at \$1,400 each, \$4,200.

Instructors.

Provost.  
Quarters, etc.

One clerk, \$1,400.

Six clerks, at \$1,000 each, \$6,000.

For pay of one clerk to the treasurer, \$1,800.

For pay of one clerk and stenographer in the office of the commandant of cadets, \$1,200.

For pay of two civilian instructors of French, to be employed under the rules prescribed by the Secretary of War, at \$2,000 each, \$4,000.

For pay of two civilian instructors of Spanish, to be employed under the rules prescribed by the Secretary of War, at \$2,000 each, \$4,000.

For pay of two expert civilian instructors in fencing, broadsword exercises, and other military gymnastics as may be required to perfect this part of the training of cadets, \$3,000.

For pay of one professional civilian instructor in military gymnastics, fencing, boxing, wrestling, and swimming, \$1,500.

For pay of two expert assistant civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming, \$4,000: *Provided*, That these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and fuel and light.

For pay of one librarian, \$3,000.

For pay of one assistant librarian, \$1,500.

For pay of one custodian of gymnasium, \$1,200.

For pay of one superintendent of gas works, \$1,500.

For pay of one chief engineer of power plant, whose duties will include those of engineer of heating and ventilating apparatus, \$2,700.

For pay of one assistant chief engineer of same, \$1,100.

For pay of three assistant engineers of same, \$3,600.

For pay of eight firemen, \$6,240.

For pay of two oilers for power plant, \$1,440.

For pay of one draftsman in the department of civil and military engineering, \$1,200.

For pay of mechanic and attendant skilled in the technical preparation necessary to chemical and electrical lectures and to the instruction in mineralogy and geology, \$1,200.

For pay of mechanic assistant in department of natural and experimental philosophy (to be appointed by the Superintendent of the United States Military Academy), \$840.

For pay of one custodian of academy buildings, \$1,000.

For pay of one electrician, \$1,600.

For pay of one chief plumber, \$1,600.

For pay of one assistant plumber, \$900.

For pay of one plumber's helper, \$600.

For pay of one scavenger, at \$60 a month, \$720.

For pay of chapel organist and choirmaster, \$1,500.

For pay of superintendent of post cemetery, \$1,200.

For pay of engineer and janitor of Memorial Hall, \$900.

For pay of printer at headquarters, United States Military Academy, \$1,600.

For pay of assistant printer at headquarters, United States Military Academy, \$1,100.

For pay of one janitress, Memorial Hall, \$600.

For pay of one master mechanic, \$1,800.

For pay of clerk and photographer in the department of drawing, \$1,300.

For pay of one stenographer, typewriter, and attendant in charge of the library in the department of law, to be appointed by the Superintendent of the United States Military Academy, \$900.

For pay of one overseer of the waterworks, \$720.

For pay of one engineer of steam, electric, and refrigerating apparatus for the cadets' mess, \$1,200.

For pay of one copyist, stenographer, clerk, librarian, typewriter, and attendant in the department of modern languages, to be appointed by the Superintendent of the United States Military Academy, \$1,040.

For pay of one mechanic and attendant skilled in the operation necessary for the preparation of lectures and of material in the department of drawing, to be appointed by the superintendent, \$720.

For pay of janitor for bachelor officers' quarters, \$600.

For pay of one stenographer, typewriter, and attendant in the department of English and history, to be appointed by the superintendent, \$840.

For pay of one bookbinder at headquarters, United States Military Academy, \$1,200.

For pay of two book sewers in bindery, \$1,080.

For pay of one skilled pressman in the printing office, headquarters, United States Military Academy, \$1,100.

For pay of one charwoman, headquarters, United States Military Academy, \$480.

For pay of one messenger for the Superintendent of the United States Military Academy, \$720.

For pay of one skilled copyist, confidential stenographer, librarian, typewriter, and attendant in the department of mathematics, to be appointed by the Superintendent of the United States Military Academy, \$1,000.

For pay of one stenographer, typewriter, and clerk in the medical department and department of military hygiene, to be appointed by the Superintendent of the United States Military Academy, authorized by the Military Academy Appropriation Act for 1914, approved March 4, 1913 (Thirty-seventh Statutes at Large, page 860), \$840.

For pay of one confidential stenographer, copyist, librarian, typewriter, and multigraph operator in the department of natural and experimental philosophy, to be appointed by the Superintendent of the United States Military Academy, \$1,000.

In all, pay of civilians, \$106,380.

All the money hereinbefore appropriated for pay of the Military Academy shall be disbursed and accounted for as pay of the Military Academy, and for that purpose shall constitute one fund.

In all, pay, Military Academy, \$1,907,404.80.

#### CURRENT AND ORDINARY EXPENSES.

For the expenses of the members of the Board of Visitors, or so much thereof as may be necessary, \$750.

Contingencies for superintendent of the academy, \$3,000.

Repairs and improvements, namely: Timber, plank, boards, joists, wall strips, laths, shingles, slate, tin, sheet lead, zinc, screws, nails, locks, hinges, glass, paints, turpentine, oils, and so forth, \$55,000.

For fuel and apparatus, namely: Coal, wood, and so forth, \$70,000, of which \$10,000 shall be immediately available.

For gas pipes, gas and electric fixtures, and so forth, \$10,000.

For fuel for cadets' mess hall, shops, and laundry, \$15,000.

For postage and telegrams, \$1,200.

For stationery, namely: Blank books, paper, and so forth, \$3,500.

For transportation of materials, cadets, discharged cadets, and so forth, \$20,000.

Printing and binding, and so forth, \$3,000.

For department of Cavalry, Artillery, and Infantry tactics: Tan bark or other proper covering for riding hall, to be purchased in open market upon written order of the superintendent, \$1,500.

Stenographer, etc.,  
medical department.

Vol. 37, p. 860.

Accounting, etc.

Current expenses.

Board of Visitors.

Contingencies, superintendent.  
Repairs and improvements.

Fuel, light, etc.

Postage, etc.  
Stationery.

Transportation.

Printing, etc.

Department of Cavalry, Artillery, and Infantry tactics.

For camp stools, office furniture, and so forth, \$4,000.

For gymnasium and athletic supplies, and so forth, \$7,500.

For the maintenance of one automobile, \$300.

For repairs to saddles, bridles, and so forth, \$500.

For the purchase of carbons and for repairs and maintenance of searchlights, and so forth, \$250.

For the purchase of stationery and office supplies for the office of the senior instructor of Coast Artillery tactics, \$75.

For purchase of machines, tools, textbooks, and material for the practical instruction of cadets in the maintenance, repair, and operation of all classes of motor transportation and automobile or internal combustion engines, \$1,000.

For repair of mattresses, machines, and so forth, in gymnasium of Cavalry barracks, \$100.

For material for hurdles, and so forth, riding hall, \$600.

Cadet camp main-  
tenance.

For general maintenance and repairs to the site of the cadet camp, \$10,000.

For repair of obstacles on mounted drill ground, and for constructing other obstacles, and so forth, \$100.

For the purchase of thread, wax, needles, and so forth, in the Cavalry stables, \$200.

For the purchase of thread, wax, needles, and so forth, in the Artillery stables, \$200.

For material for preserving floors, and so forth, Artillery barracks and stables, \$150.

For the purchase of tools, machines, and so forth, Artillery gun shed, \$2,000.

For repair to mattresses, machines, and so forth, in drill hall and gymnasium of Artillery barracks, \$100.

For the purchase of new and upkeep of worn-out rubber matting in squad rooms of Artillery barracks, \$150.

For purchase of stationery and office furniture in office of the senior instructor of Field Artillery tactics, \$100.

For material for preserving floors, and so forth, Cavalry barracks and stables, \$100.

For repair of mattresses, machines, and so forth, in drill hall and gymnasium of Engineer barracks, \$100.

Instruction mate-  
rials, etc., for specified  
departments.

For department of civil and military engineering: Textbooks, stationery, and so forth, \$1,200.

For department of natural and experimental philosophy: Textbooks, apparatus, and so forth, \$3,500.

For department of instruction in mathematics: Textbooks, stationery, and so forth, \$1,250.

For department of chemistry, mineralogy, and geology, \$2,500.

For department of drawing: Drawing materials, and so forth, \$2,000.

For department of modern languages: Stationery, and so forth, \$1,900.

For department of law: Books, stationery, and so forth, \$2,000.

For department of practical military engineering: For models, books, stationery, and so forth, \$4,500.

For department of ordnance and gunnery: Models, instruments, books, and so forth, \$2,150.

For the purchase of machines, tools, and so forth, for practical instruction of cadets in wood and metal working, \$500.

For department of military hygiene, \$500.

For department of English and history: For purchase of stationery, books, and so forth, \$1,500.

Lectures.

For a course of lectures for the more complete instruction of cadets, \$1,200.

For the maintenance of one automobile truck, \$300.  
In all, current and ordinary expenses, \$235,475.

## MISCELLANEOUS ITEMS AND INCIDENTAL EXPENSES.

Miscellaneous.

Treasurer's office.

Lighting, plumbing,  
etc.

Library.

Academic board.

Proviso.  
Purchases.

Band expenses.

Laundry.

Cadet mess.

Policing.  
Cadet barracks.Children's school.  
Cadet hospital.

Soldiers' hospital.

Care of trophies.

Fire protection.

Buildings and  
grounds.Ordnance museum,  
etc.

For commercial periodicals, stationery, and so forth, for the office of the treasurer United States Military Academy, \$300.

For gas coal, oil, candles, and so forth, for operating the gas plant, \$25,000.

For water pipe, plumbing, and repairs, \$8,000.

For material and labor for cleaning and policing public buildings, \$6,620.

For supplies for recitation rooms not otherwise provided for and for renewing and repairing furniture in same, \$1,000.

Increase and expense of library, \$7,200.

For contingent funds, to be expended under the direction of the academic board: For instruments, books, repairs to apparatus, and other incidental expenses not otherwise provided for, \$500: *Provided*, That all technical and scientific supplies for the departments of instruction of the Military Academy shall be purchased by contract or otherwise, as the Secretary of War may deem best.

For the purchase and repair of instruments and maintenance of the band, \$1,500.

For repairs and improvements to the laundry machinery, and so forth, which may be expended without advertising, and to be immediately available, \$15,325.

For the repair and purchase of cooking utensils, chairs, and so forth, cadet mess, which may be expended without advertising, to be immediately available, \$3,000.

For the policing of barracks and bathhouses, \$25,000.

For supplying light and plain furniture to cadets' barracks, \$15,000.

For the purchase and repair of cocoa matting for the aiseways in the stables of the riding hall, \$300.

For maintaining the children's school, and so forth, \$6,500.

For new wooden steps, with handrail, from sidewalk to entrance to cadet hospital, \$250.

For painting, two coats, walls, doors, and ceilings of rooms, third floor, cadet hospital, kitchen, dining room, hallway, and three squad rooms, \$600.

For repair of paint and calcimine ceiling of ward Wheaton, cadet hospital, damaged by leak in roof, \$250.

For removing old air ducts in basement and repairing floor in cadet hospital, \$200.

For repairing and renewing rain conductors around building at cadet hospital, \$150.

For painting walls, ceilings, and woodwork of interior of main and annex buildings; ceilings and walls of operating and dressing rooms to be white enamel or other durable substance at soldiers' hospital, \$2,500.

For care, upkeep, and mounting of trophies at the United States Military Academy, \$1,000.

For purchase and repair of fire-extinguishing apparatus, \$2,000.

In all, miscellaneous items and incidental expenses, \$122,195.

## BUILDINGS AND GROUNDS.

For cases, materials, and so forth, ordnance museum in headquarters building, \$1,500.

For repairs to ordnance laboratory and other buildings pertaining to department of ordnance and gunnery, \$150.



For general repairs to cadet laundry building, and so forth, to be expended without advertising, \$400.

For general incidental repairs and improvements to the cadet store building, including storerooms, office, tailor shops, and shoe-repairing shops, \$1,000.

For materials and labor for repairs, and so forth, soldiers' hospital, \$165.

For repair and upkeep of quarters of the staff sergeant, Medical Department, at soldiers' hospital, \$50.

**Waterworks.**

For waterworks, \$3,000.

For repairs to quarters of steward of cadet mess, which may be expended without advertising, \$150.

**Walls, roads, etc.**

For the repair and restoration of retaining walls along the line of the Poploen pipe line, \$3,000.

For carrying on the development of the general plan for improvements to roads and grounds, \$3,000.

**Cadet hospital.**

For repairs and necessary alterations and additions to the cadet hospital as follows: For materials for radiators, piping, furniture, and so forth, \$120.

For purchase of flowers and shrubs for hospital grounds, \$100.

**Cadet mess building.**

For necessary repairs and replacements in steam-heating system and steam line in cadet mess, which may be expended without advertising, \$650.

For repairs to the cadet mess building, which may be expended without advertising and to be immediately available, \$1,000.

**Army mess building.**

For repairs and improvements to the West Point Army mess building, including supplying and renewing furniture and fittings, \$2,500.

For the repair and maintenance of the cadet boathouse and the purchase and maintenance of boats and canoes for the instruction of cadets in rowing, \$750.

**South cadet barracks.**

For grading and paving the area of south cadet barracks, \$15,000.

For the restoration and repair of the Poploen intake to the Poploen pipe line, \$500.

For the repair and upkeep of quarters of the master sergeant, Medical Department, at the cadet hospital, \$50.

**Cadet barracks, repairs.**

For repairs to the cadet barracks, to be immediately available, \$15,000.

**Cemetery.**

For maintaining and improving grounds of post cemetery, \$2,000.

For continuing the construction of breast-high wall in dangerous places, \$1,000.

**Road material.**

For broken stone and gravel for roads, \$10,000.

For repairs of boilers, engines, dynamos, motors, and so forth, cadet mess, which may be expended without advertising, to be immediately available, \$3,350.

**Waterproofing.**

For the repair and improvement of cadet polo field, \$600.

For waterproofing the post headquarters, bachelor, gymnasium, and other large buildings, \$2,000.

For care and maintenance of organ in cadet chapel, \$250.

For general repairs to the buildings of the Coast Artillery fire-control system, \$100.

For material and labor for repair of Field Artillery target range, \$500.

For repair and upkeep of stable Numbered four, and corral, for purchase of paint, nails, and so forth, \$300.

**Army surplus material, etc., transferred for temporary construction.  
Tools, etc., for instruction.**

The Secretary of War is hereby directed to turn over to the United States Military Academy without expense all such surplus material as may be available and necessary for the construction of temporary buildings; also surplus tools and matériel for use in the instruction of cadets at the academy.

For subdividing rooms 401 and 402, fourth floor, east academic building, including new partitions, new entrances from corridor, new lights, additional slate blackboards, and incidental work, \$4,000.

Changes east academic building.

For extension of water, sewer, gas, and electric systems to new bachelor building, to be immediately available, \$20,000.

New bachelor building.

*Provided*, That the constructing quartermaster, United States Military Academy, is hereby exempted from all laws and regulations relative to granting leaves of absence to employees with pay while employed on construction work at the Military Academy.

*Proviso.*  
Leaves of absence, construction employees.

In all, buildings and grounds, \$92,185.

In all, Military Academy, \$2,357,259.80.

SEC. 2. No part of the moneys appropriated in this Act shall be used for paying to any civilian employee of the United States Government an hourly wage or salary larger than that customarily paid by private individuals for corresponding work in the same locality.

Pay of civilians limited to local rates.

Approved, June 30, 1921.

CHAP. 34.—An Act Authorizing the Secretary of War to furnish free transportation and subsistence from Europe and Siberia to the United States for certain destitute discharged soldiers and their wives and children.

June 30, 1921.

[S. 1019.]

[Public, No. 28.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to furnish transportation on United States Army transports from Europe to the United States, and subsistence en route, to any person who served in the Army of the United States and was honorably discharged therefrom in Europe, and who is now in Europe and is or becomes destitute, and to the wife and children of such person and transportation and subsistence en route to such person and his wife and children from point of debarkation in the United States to the point of enlistment of such person or his home of record or to any other point to which he may desire to be furnished transportation for himself, wife, and children: *Provided*, That such point is of no greater distance from the point of debarkation than is his point of enlistment or home: *Provided further*, That if such person, his wife and children, are not at a port of embarkation of United States Army transports in Europe the Secretary of War is further authorized to furnish transportation to such person, his wife and children, to such port of embarkation and subsistence en route: *Provided further*, That such transportation and subsistence shall be furnished to such person, his wife, and children without cost to them.

Destitute discharged soldiers in Europe.  
Free passage to their homes on Army transports, and subsistence to, and their families.

From place of landing to where enlisted.

*Proviso.*  
If to other than place of enlistment.

Transportation, etc., to port of embarkation.

Transportation, etc., furnished free.

Similar passage, etc., to destitute persons discharged in Siberia.

*Proviso.*  
Use of other than transports from.

SEC. 2. That the Secretary of War is hereby further authorized to furnish transportation and subsistence en route, as contemplated above in the case of destitute former soldiers in Europe, to any person who was honorably discharged from the Army of the United States in Siberia and who is now in Vladivostok or its immediate vicinity and is or becomes destitute, and to the wife and children of such person: *Provided*, That the Secretary of War is authorized, in transporting such persons to the United States, to procure transportation and subsistence for them on vessels other than United States Army transports from Siberia to Japan.

Act to terminate in six months.

SEC. 3. That the authority conferred by this Act shall cease and determine six months after the approval thereof.

Approved, June 30, 1921.

June 30, 1921.  
[H. R. 5616.]  
[Public, No. 29.]

**CHAP. 35.**—An Act Granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to construct a bridge across the Allegheny River, in the State of Pennsylvania.

Allegheny River.  
Venango County,  
Pa., may bridge, Oil  
City.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the commissioners of Venango County, Pennsylvania, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at Oil City, Pennsylvania, connecting Petroleum Street, on the south side of the river, with North Petroleum Street, on the north side of the river, in the county of Venango, in the State of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Construction.  
Vol. 34, p. 84.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 30, 1921.

June 30, 1921.  
[H. R. 6652.]  
[Public, No. 30.]

**CHAP. 36.**—An Act To extend the time for the construction of a bridge across the Arkansas River, in Muskogee County, Oklahoma.

Arkansas River.  
Time extended for  
bridging, at Fort Gib-  
son, Okla.  
Vol. 41, p. 629,  
amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge authorized by Act of Congress, approved May 27, 1920, to be built by the county of Muskogee, State of Oklahoma, across the Arkansas River, at a point near Fort Gibson, in said county and State, between sections sixteen and twenty-one, township fifteen north, range nineteen east, are hereby extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 30, 1921.

June 30, 1921.  
[H. R. 6653.]  
[Public, No. 31.]

**CHAP. 37.**—An Act To extend the time for the construction of a bridge across the Arkansas River at a point near Webbers Falls, in Muskogee County, Oklahoma.

Arkansas River.  
Time extended for  
bridging, at Webbers  
Falls, Okla.  
Vol. 41, p. 629,  
amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge, authorized by Act of Congress approved May 27, 1920, to be built by the county of Muskogee, State of Oklahoma, across the Arkansas River, at a point near Webbers Falls, in section eighteen, township twelve north, range twenty-one east, in the said county and State, are hereby extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 30, 1921.

June 30, 1921.  
[H. J. Res. 82.]  
[Pub. Res., No. 7.]

**CHAP. 38.**—Joint Resolution Ratifying the reestablishment of the boundary line between the States of Pennsylvania and Delaware.

Pennsylvania and  
Delaware boundary  
line.  
Reestablishment of,  
ratified.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress hereby consents to the reestablishment of the boundary line between the States of Pennsylvania and Delaware, as heretofore agreed upon by

said States, and as reestablished and confirmed, fixed, and determined according to the terms of an act of the General Assembly of the Commonwealth of Pennsylvania entitled "An act providing for the acceptance, approval, and confirmation of the report of the commission appointed in pursuance of the act approved the 4th day of May, anno Domini 1889, authorizing the examination, survey, and reestablishment of the circle of New Castle as the boundary line between Pennsylvania and Delaware," approved June 22, 1897, and an act of the General Assembly of the State of Delaware entitled "An act providing for the acceptance, approval, and confirmation of the report of the commission appointed in pursuance of the act of the General Assembly of the State of Delaware, approved the 25th day of April, anno Domini 1889, authorizing the examination, survey, and reestablishment of the circle of New Castle as the boundary line between Pennsylvania and Delaware," approved March 28, 1921.

Approved, June 30, 1921.

**CHAP. 39.**—An Act To amend section 32 of the Act of Congress approved July 17, 1916, known as the Federal Farm Loan Act.

July 1, 1921.

[S. 1887.]

[Public, No. 32.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 32 of the Federal Farm Loan Act, approved July 17, 1916, as amended, is hereby amended by adding after the first paragraph a new paragraph to read as follows:

Federal Farm Loan Act Amendment.  
Vol. 39, p. 384, amended.

"Until such time as the aggregate paid-in capital stock of the twelve Federal land banks shall be \$50,000,000, or more, the Secretary of the Treasury may in his discretion make deposits in addition to those authorized by the preceding paragraph, to be secured, redeemed, and paid in the same manner as provided in such paragraph, except that any additional deposit made hereunder shall be called by the Secretary of the Treasury and redeemed by the bank or banks holding the same, within fifteen days after the conclusion of each general offering of farm loan bonds by such bank or banks. The aggregate of such additional deposits outstanding at any time shall not exceed the difference between the aggregate paid-in capital stock of the twelve Federal land banks on the last day of the preceding month, and the sum of \$50,000,000. The certificates of indebtedness issued to the Secretary of the Treasury by the Federal land bank for such additional deposits shall bear a rate of interest not exceeding by more than one-half of 1 per centum per annum the rate borne by the last bond issue of the land bank receiving such deposits."

Additional loan to banks authorized.

Payment.

Limitation of amount.

Interest rate.

Approved, July 1, 1921.

**CHAP. 40.**—Joint Resolution Terminating the state of war between the Imperial German Government and the United States of America and between the Imperial and Royal Austro-Hungarian Government and the United States of America.

July 2, 1921.

[S. J. Res. 16.]

[Pub. Res., No. 8.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the state of war declared to exist between the Imperial German Government and the United States of America by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

World War.  
War with Germany declared at an end.

Vol. 40, p. 1.

**SEC. 2.** That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or

Reservation of all rights, etc., of United States and its nationals under the armistice.

Acquired by participation in the war.

Under treaty of Versailles.

As a principal allied power.

By Acts of Congress.

War with Austria-Hungary declared at an end.

Vol. 40, p. 429.

Reservation of all rights, etc., of United States and its nationals under the armistice.

Acquired by participation in the war.

Under treaties of Saint Germain and Trianon.

As a principal allied power.

By Acts of Congress.

Retention of property of German and Austro-Hungarian Governments, etc., held by United States.

Until provision made by those Governments to satisfy Americans for losses incurred by the war, etc.

Most favored nation treatment be granted Americans.

advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Versailles, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

SEC. 3. That the state of war declared to exist between the Imperial and Royal Austro-Hungarian Government and the United States of America by the joint resolution of Congress approved December 7, 1917, is hereby declared at an end.

SEC. 4. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 3, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Saint Germain-en-Laye or the treaty of Trianon, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

SEC. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, or the Imperial and Royal Austro-Hungarian Government, or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise, and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce and industrial property rights, and until the Imperial German Government and the Imperial and Royal Austro-Hungarian Gov-

ernment, or their successor or successors, shall have respectively confirmed to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America.

SEC. 6. Nothing herein contained shall be construed to repeal, modify or amend the provisions of the joint resolution "declaring that certain Acts of Congress, joint resolutions and proclamations shall be construed as if the war had ended and the present or existing emergency expired," approved March 3, 1921, or the passport control provisions of an Act entitled "An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1922," approved March 2, 1921; nor to be effective to terminate the military status of any person now in desertion from the military or naval service of the United States, nor to terminate the liability to prosecution and punishment under the Selective Service law, approved May 18, 1917, of any person who failed to comply with the provisions of said Act, or of Acts amendatory thereof.

Approved, July 2, 1921.

Fines, etc., imposed by United States be confirmed.

Pecuniary claims be waived.

Laws not affected. Construing termination of war.

Vol. 41, p. 1359.

Passport control. Vol. 41, p. 1217.

Status of deserters.

Liability for violations of selective service laws. Vol. 40, p. 76.

CHAP. 41.—An Act For the relief of settlers and entrymen on Baca Float Numbered Three, in the State of Arizona.

July 5, 1921.

[H. R. 2422.]

[Public, No. 33.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That where, prior to December 13, 1917, patents or patent certificates have issued under the homestead laws or preemption laws for land within the limits of a tract known as Baca Float Numbered Three, in the State of Arizona, and the patentees, their assigns, and legal representatives have been evicted by the local courts by reason of the prior grant to the legal representative of Luis Maria Baca, the patentee, his assigns or his legal representative, who under the laws and regulations would have been entitled to the return of the purchase money, fees, and commissions, shall be entitled to select in lieu thereof not exceeding twice the area of the lands lost, of any nonmineral unoccupied surveyed public lands in the State of Arizona subject to homestead entry.

Baca Float No. 3, Ariz. Settlers, etc., evicted from, private land claim, may select twice the area of lands lost.

SEC. 2. That where any person had made homestead entry for land within Baca Float Numbered Three, and had fully complied with the homestead laws thereon as to residence and cultivation prior to June 22, 1914, in the bona fide belief that the land was public land, and has been evicted therefrom or prevented from making final entry by reason of the prior grant, said homestead entryman, or, in the case of his or her death, the successor to the right of entry under the homestead laws shall be permitted to make second homestead entry for other land situate in the State of Arizona and not exceeding twice the area of the original homestead entry lost as herein set forth, subject to the conditions, limitations, and benefits of the homestead laws applicable to such land; and upon submission of proof under his original entry that he had fully complied with the law as to residence and cultivation, shall on approval of such proof and payment at the office of second entry for the final fees and commissions due on a final entry for the land entered, receive a final certificate and patent without further residence and cultivation of the land embraced in the second entry.

Homestead entrymen evicted or prevented from making final entry by prior grant, may make second entry of twice original area.

Patent, etc., to issue without further residence, etc.

Rights not assignable.

Selection to be made within three years.

Provisos.  
Sales, etc., since December 13, 1917, not recognized.  
Proof required of applicant that selection is for exclusive personal use, etc.

Regulations, etc., to be prescribed.

SEC. 3. That the right of selection and second entry hereby granted shall not be assignable, directly or through irrevocable power of attorney, and must be exercised within three years after the passage of this Act by the persons entitled to such relief, or, in the case of the death of a homestead entryman who has not submitted final proof and received his final certificate, by the person or persons succeeding to his right of entry under the homestead laws: *Provided*, That no persons acquiring said land by sale or conveyance subsequent to December 13, 1917, shall be recognized, and the applicant shall submit proof that he has not sold, assigned, nor relinquished his homestead nor entered into any contract or agreement to sell, assign, or relinquish the same, nor abandoned the land for a valuable consideration; also that the land sought to be selected is for applicant's own exclusive use and benefit, and that he has not sold or contracted to sell, directly or indirectly, said selected land: *And provided further*, That the entire right of reselection under each entry shall be exercised at the same time, under such rules and regulations as the Secretary of the Interior may prescribe, and on approval of the selection patent shall issue as on other entries.

Approved, July 5, 1921.

July 9, 1921.  
[S. 1881.]  
[Public, No. 34.]

CHAP. 42.—An Act To amend an Act entitled "An Act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, to establish an Hawaiian Homes Commission, granting certain powers to the board of harbor commissioners of the Territory of Hawaii, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Hawaiian Homes Commission Act, 1920.

Definitions.

#### TITLE 1.—DEFINITIONS.

Title of Act.

SECTION 1. That this Act may be cited as the "Hawaiian Homes Commission Act, 1920."

"Hawaiian Organic Act."  
Vol. 31, p. 141; Vol. 36, p. 443.

SEC. 2. That when used in this Act the term "Hawaiian Organic Act" means the Act entitled "An Act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended.

Hawaiian Homes Commission.

#### TITLE 2.—HAWAIIAN HOMES COMMISSION.

Terms construed.

SEC. 201. (a) That when used in this title—

"Commission."

(1) The term "commission" means the Hawaiian Homes Commission;

"Public lands."  
Post, p. 116.

(2) The term "public land" has the same meaning as defined in paragraph (3) of subdivision (a) of section 73 of the Hawaiian Organic Act;

"Fund."

(3) The term "fund" means the Hawaiian home loan fund;

"Territory."

(4) The term "Territory" means the Territory of Hawaii;

"Hawaiian home lands."  
Post, p. 110.

(5) The term "Hawaiian home lands" means all lands given the status of Hawaiian home lands under the provisions of section 204 of this title;

"Tract."  
Post, p. 110.

(6) The term "tract" means any tract of Hawaiian home lands leased, as authorized by section 207 of this title, or any portion of such tract; and

"Native Hawaiian."

(7) The term "native Hawaiian" means any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778.

Terms in Hawaiian laws to have same meaning as herein.

(b) Any term defined or described in section 347 or 351 of the Revised Laws of Hawaii of 1915, except a term defined in subdivision (a) of this section, shall, whenever used in this title, have the same meaning as given by such definition or description.

SEC. 202. (a) There is hereby established a commission to be known as the "Hawaiian Homes Commission" and to be composed of five members, as follows:

Hawaiian Homes  
Commission.  
Composition.

(1) The governor of the Territory, and

Governor.

(2) Four citizens of the Territory to be appointed by the governor, by and with the advice and consent of the senate of the legislature of the Territory. At least three of the appointed members of the commission shall be native Hawaiians.

Appointive member-  
ship.

Three to be natives.

(b) Any vacancy in the office of an appointed member shall be filled in the same manner and under the same limitations as the original appointment.

Filling vacancies.

(c) The governor of the Territory shall be the chairman of the commission. The commission shall designate one of its members to serve as the executive officer and secretary of the commission. The executive officer and secretary shall receive such annual salary, not to exceed \$6,000, as the commission may determine. The members of the commission, except the executive officer and secretary, shall receive an annual salary of \$500. Of the original appointed members of the commission, one shall be appointed for a term of one year, one for two years, one for three years, and one for four years. Their successors shall hold office for terms of four years, except that any member appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. A member may after due notice and public hearing be removed by the governor for neglect of duty or malfeasance in office, but for no other cause.

Organization.

Salaries.

Terms of appointive  
members.

Removals.

SEC. 203. All public lands of the description and acreage, as follows, excluding (a) all lands within any forest reservation, (b) all cultivated sugar-cane lands, and (c) all public lands held under a certificate of occupation, homestead lease, right of purchase lease, or special homestead agreement, are hereby designated, and hereinafter referred to, as "available lands":

Available lands.  
Exclusions.

Designations.

On Island of Hawaii.

(1) On the island of Hawaii: Kamaoa-Puueo (eleven thousand acres, more or less), in the district of Kau; Puukapu (twelve thousand acres, more or less), Kawaihae I (ten thousand acres, more or less), and Pauahi (seven hundred and fifty acres, more or less), in the district of South Kohala; Kamoku-Kapulena (five thousand acres, more or less), Waimanu (two hundred acres, more or less), and Nienie (seven thousand three hundred and fifty acres, more or less), in the district of Hamakua; fifty-three thousand acres to be selected by the commission from the lands of Humuula Mauka, in the district of North Hilo; Panaewa, Waiakea (two thousand acres, more or less), Waiakea-kai, or Keaaukaha (two thousand acres, more or less), and two thousand acres of agricultural lands to be selected by the commission from the lands of Piipihonua, in the district of South Hilo; and two thousand acres to be selected by the commission from the lands of Kaehe-Makuu, in the district of Puna;

Island of Maui.

(2) On the island of Maui: Kahikinui (twenty-five thousand acres, more or less) in the district of Kahikinui, and the public lands (six thousand acres, more or less) in the district of Kula;

Island of Molokai.

(3) On the Island of Molokai: Palaau (eleven thousand four hundred acres, more or less), Kapaakea (two thousand acres, more or less), Kalamaula (six thousand acres, more or less), Hoolehua (three thousand five hundred acres, more or less), Kamiloloa I and II (three thousand six hundred acres, more or less), and Makakupaia (two thousand two hundred acres, more or less); and Kalaupapa (five thousand acres, more or less);

Island of Oahu.

(4) On the island of Oahu: Nanakuli (three thousand acres, more or less), and Lualualei (two thousand acres, more or less), in the district of Waianae; and Waimanalo (four thousand acres, more or less), in the district of Koolaupoko, excepting therefrom the military reservation and the beach lands; and



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|---|---|
| Island of Kauai.  | (5) On the island of Kauai: Upper land of Waimea, above the cultivated sugar cane lands, in the district of Waimea (fifteen thousand acres, more or less); and Moloaa (two thousand five hundred acres, more or less), and Anahola and Kamalomalo (five thousand acres, more or less).  |
| Lands to be disposed of as home lands.  | SEC. 204. Upon the passage of this Act all available lands shall immediately assume the status of Hawaiian home lands and be under the control of the commission to be used and disposed of in accordance with the provisions of this title, except that—   |
| Limitation for first five years.  | (1) For a period of five years after the first meeting of the Hawaiian Homes Commission only those lands situate on the island of Molokai, which are particularly named in paragraphs 1 and 3 of section 203 hereof; Waimanu, in the district of Hamakua; Keaaukaha, in the district of South Hilo; and Panaewa, Waiakea, in the district of South Hilo, island of Hawaii, shall be available for use and disposition by said commission under the provisions of this title and none of the remaining available lands named in said section 203 shall, after the expiration of the said five-year period, be leased, used, or otherwise disposed of by the commission under the provisions of this title, except by further authorization of Congress and with the written approval of the Secretary of the Interior of the United States.  |
| Leasing of other lands restricted to authorization of Congress.                       | (2) In case any available land is under lease at the time of the passage of this Act such land shall not assume the status of Hawaiian home lands until the lease expires or the commissioner of public lands withdraws the lands from the operation of the lease. If the land is covered by a lease containing a withdrawal clause as provided in subdivision (d) of section 73 of the Hawaiian Organic Act, the commissioner of public lands shall withdraw such lands from the operation of the lease whenever the commission with the approval of the Secretary of the Interior gives notice to him that the commission is of the opinion that the lands are required by it for leasing as authorized by the provisions of section 207, or for a community pasture as provided in section 211 of this title. Such withdrawal shall be held to be for a public purpose within the meaning of that term as used in subdivision (d) of section 73 of the Hawaiian Organic Act. |
| Leased lands restrictions.  | (3) In case any land is to be selected by the commission out of a larger area of available lands, such land shall not assume the status of Hawaiian home lands until the commission, with the approval of Secretary of the Interior, makes the selection and gives notice thereof to the commissioner of public lands. The commission shall give such notice within three years after the expiration of the five-year period referred to in paragraph 1 of this section. Any such notice given thereafter shall be deemed invalid and of no effect.   |
| With withdrawal clause.<br><i>Post</i> , p. 117.                                      | SEC. 205. Available lands shall be sold or leased only (1) in the manner and for the purposes set out in this title, or (2) as may be necessary to complete any valid agreement of sale or lease in effect at the time of the passage of this Act; except that such limitations shall not apply to the unselected portions of lands from which the commission has made a selection and given notice thereof, or failed so to select and give notice within the time limit, as provided in paragraph (3) of section 204 of this title.   |
| For native Hawaiians or community pasture.<br><i>Infra</i> .<br><i>Post</i> , p. 112. | SEC. 206. The powers and duties of the governor, the commissioner of public lands, and the board of public lands, in respect to lands of the Territory, shall not extend to lands having the status of Hawaiian home lands, except as specifically provided in this title.  |
| Notice for selections out of larger areas.  | SEC. 207. (a) The commission is authorized to lease to native Hawaiians the right to the use and occupancy of a tract of Hawaiian home lands within the following acreage limits:   |
| Time required.  | (1) Not less than twenty nor more than eighty acres of agricultural lands; or   |
| Limitation on disposal of available lands.  |   |
| Powers of other officials over home lands restricted.                                 |   |
| Leases permitted to native Hawaiians.   |   |

(2) Not less than one hundred nor more than five hundred acres of first-class pastoral lands; or

(3) Not less than two hundred and fifty nor more than one thousand acres of second-class pastoral lands.

(b) The title to lands so leased shall remain in the United States. Applications for tracts shall be made to and granted by the commission, under such regulations, not in conflict with any provision of this title, as the commission may prescribe. The commission shall, whenever tracts are available, enter into such a lease with any applicant who, in the opinion of the commission, is qualified to perform the conditions of such lease.

SEC. 208. Each lease made under the authority granted the commission by the provisions of section 207 of this title and the tract in respect to which the lease is made, shall be deemed subject to the following conditions, whether or not stipulated in the lease:

(1) The lessee shall be a native Hawaiian.

(2) The lessee shall pay a rental of \$1 a year for the tract and the lease shall be for a term of ninety-nine years;

(3) The lessee shall occupy and commence to use or cultivate the tract as his home or farm within one year after the lease is made;

(4) The lessee shall thereafter, for at least such part of each year as the commission shall by regulation prescribe, so occupy and use or cultivate the tract on his own behalf;

(5) The lessee shall not in any manner transfer to, or mortgage, pledge, or otherwise hold for the benefit of, any other person, except a native Hawaiian, and then only upon the approval of the commission, or agree so to transfer, mortgage, pledge, or otherwise hold, his interest in the tract. Such interest shall not, except in pursuance of such a transfer, mortgage, or pledge to or holding for or agreement with a native Hawaiian, be subject to attachment, levy, or sale upon court process. The lessee shall not sublet his interest in the tract or improvements thereon. Upon the death of the lessee his interest in the tract and improvements thereon shall vest under the limitations provided for homesteads in section 403 of the Revised Laws of Hawaii of 1915;

(6) The lessee shall pay all taxes assessed upon the tract and improvements thereon within sixty days after they became delinquent. If the lessee fails so to pay, the commission shall thereupon pay the taxes and have a lien therefor as provided in section 216 of this title;

(7) The lessee shall perform such other conditions, not in conflict with any provision of this title, as the commission may stipulate in the lease: *Provided, however,* That the lessee shall be exempt from all taxes for the first five years from date of lease.

SEC. 209. All successors, whether by agreement or process of law, to the interest of the lessee in any tract, shall be deemed to receive such interest subject to the conditions which would rest upon the lessee, if he then were the party holding the interest in the tract: *Provided,* That a successor receiving such interest by inheritance shall not, during the two years next following his inheritance, be deemed to have violated any of the conditions enumerated in section 208 of this title, even though he is not a native Hawaiian and does not on his own behalf occupy and use or cultivate the tract as a home or farm for such part of the year as the commission requires in accordance with the regulations prescribed by it under paragraph (4) of section 208 of this title.

SEC. 210. Whenever the commission has reason to believe that any condition enumerated in section 208, or any provision of section 209, of this title has been violated, the commission shall give due notice and afford opportunity for a hearing to the lessee of the tract in respect to which the alleged violation relates or to the successor

Title, applications, etc.

Conditions imposed.

To be a native Hawaiian.  
Rental and term.

Initial occupancy, etc.

Yearly use, etc.

Transfers, etc., restrictions.

Upon death of lessee.

Payment of taxes.

Post, p. 113.  
Other stipulations.

*Provided.*  
Tax exemption for five years.

Successors subject to conditions on lessees.

*Provided.*  
By inheritance.

Hearings on violations of conditions.  
*Supra.*

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|--|--|
| Forfeiture if violation proved.                                      | of the lessee's interest therein, as the case demands. If upon such hearing the commission finds that the lessee or his successor has violated any condition in respect to the leasing of such tract, the commission may declare his interest in the tract and all improvements thereon to be forfeited and the lease in respect thereto canceled, and shall thereupon order the tract to be vacated within a reasonable time. The right to the use and occupancy of the Hawaiian home lands contained in such tract shall thereupon revert in the commission and the commission may take possession of the tract and the improvements thereon.  |
| Revesting of lands in commission.                                    |  |
| Community pastures to be provided.<br><i>Act, p. 110.</i>            | SEC. 211. The commission shall, when practicable, provide from the Hawaiian home lands a community pasture adjacent to each district in which agricultural lands are leased, as authorized by the provisions of section 207 of this title.   |
| Return of lands not leased.  | SEC. 212. The commission may return any Hawaiian home lands not leased as authorized by the provisions of section 207 of this title to the control of the commissioner of public lands. Any Hawaiian home lands so returned shall, until the commission gives notice as hereinafter in this section provided, resume and maintain the status of public lands in accordance with the provisions of the Hawaiian Organic Act and the Revised Laws of Hawaii of 1915, except that such lands may be disposed of under a general lease only. Each such lease, whether or not stipulated therein, shall be deemed subject to the right and duty of the commission of public lands to terminate the lease and return the lands to the commission whenever the commission, with the approval of the Secretary of the Interior, gives notice to him that the commission is of the opinion that the lands are required by it for leasing as authorized by the provisions of section 207 of this title or for a community pasture. |
| Disposal as public lands under general lease.                        |  |
| Termination of lease and return to status of home lands, authorized. |  |
| Hawaiian home loan fund created.                                     | SEC. 213. There is hereby established in the treasury of the Territory a revolving fund, to be known as the "Hawaiian home loan fund." The entire receipts derived from any leasing of public lands under the provisions of section 212 of this title and 30 per centum of the Territorial receipts derived from the leasing of cultivated sugar-cane lands under any other provision of law or from water licenses shall be covered into the fund until the total amount of the moneys paid therein equals \$1,000,000.   |
| Moneys to be covered into.   |  |
| Total.   |  |
| Loans to lessees from.   | SEC. 214. The commission is hereby authorized to make loans from the fund to the lessee of any tract or the successor to his interest therein. Such loans may be made for the following purposes:  |
| Purposes designated.<br>For buildings, etc.                          | (1) The erection of dwellings on any tract and the undertaking of other permanent improvements thereon;  |
| Live stock and farm equipment.                                       | (2) The purchase of live stock and farm equipment; and   |
| Other development.   | (3) Otherwise assisting in the development of tracts.  |
| Conditions in loan contracts.  | SEC. 215. Each contract of loan with the lessee or the successor to his interest in the tract shall be held subject to the following conditions, whether or not stipulated in the contract of loan:  |
| Amount limited.  | (1) The amount of loans to any one borrower outstanding at any one time shall not exceed \$3,000.  |
| Amortization repayment.  | (2) The loans shall be repaid upon an amortization plan by means of a fixed number of annual installments sufficient to cover (a) interest on the unpaid principal at the rate of 5 per centum per annum, and (b) such amount of the principal as will extinguish the debt within an agreed period not exceeding thirty years. The moneys received by the commission from any installment paid upon such loan shall be covered into the fund. The payment of any installment due shall, with the concurrence therein of at least three of the five members of the commission, be postponed in whole or in part by the commission for such reasons as it deems good and sufficient and until such later date as it deems advisable. Such postponed pay-   |
| Postponement permitted.  |  |

ments shall continue to bear interest at the rate of 5 per centum per annum on the unpaid principal and interest.

(3) In case the borrower's interest in his tract or his successor's interest therein is transferred to or mortgaged, pledged, or otherwise held for the benefit of any native Hawaiian, or agreed so to be transferred, mortgaged, pledged, or otherwise held, as permitted by paragraph (5) of section 208 of this title, the commission may at its option declare all annual installments upon the loan immediately due and payable or permit the successor to the borrower's interest in the tract to assume the contract of loan. In case of the borrower's death, the commission shall permit the successor to the borrower's interest in the tract to assume the contract of loan.

If interest in tract transferred.

*Ante*, p. 111.

(4) No part of the moneys loaned shall be devoted to any purpose other than those for which the loan is made.

Use restricted to purpose of loan.

(5) The borrower or the successor to his interest in the tract shall comply with such other conditions, not in conflict with any provision of this title, as the commission may stipulate in the contract of loan.

Compliance with other stipulations.

(6) The borrower or the successor to his interest in the tract shall comply with the conditions enumerated in section 208, and with the provisions of section 209 of this title in respect to the lease of the tract.

Lease conditions.  
*Ante*, p. 111.

SEC. 216. The commission may require the borrower to insure, in such amount as the commission may by regulation prescribe, all live stock and dwellings and other permanent improvements upon his tract, purchased or constructed out of any moneys loaned from the fund; or in lieu thereof the commission may directly take out such insurance and add the cost thereof to the amount of the annual installments payable under the amortization plan. Whenever the commission has reason to believe that the borrower has violated any condition enumerated in paragraphs (2), (4), (5), or (6) of section 215 of this title, the commission shall give due notice and afford opportunity for a hearing to the borrower or the successor to his interest in the tract, as the case demands. If upon such hearing the commission finds that the borrower has violated the condition, the commission may declare all annual installments immediately due and payable, notwithstanding any provision in the contract of loan to the contrary. The commission shall have a lien upon the borrower's or lessee's interest in his tract, dwellings, and other permanent improvements thereon, and his live stock to the amount of all annual installments due and unpaid and of all taxes upon such tract and improvements paid by the commission. Such liens shall have priority over any other obligation for which the tract, dwellings, other improvements, or live stock may be security.

Insurance of property.

Hearings on violation of conditions.

Immediate payment if violation proved.

Lien upon property, etc.

Enforcement of lien.

The commission may, at such time as it deems advisable, enforce any such lien by declaring the borrower's interest in his tract or his successor's interest therein, as the case may be, together with the dwellings and other permanent improvements thereon and the live stock, to be forfeited, and the lease in respect to such tract canceled, and shall thereupon order the tract to be vacated and the live stock surrendered within a reasonable time. The right to the use and occupancy of the Hawaiian home lands contained in such tract shall thereupon revert in the commission, and the commission may take possession of the tract and the improvements thereon: *Provided*, That the commission shall pay to the borrower any difference in his favor between (1) the fair value of the live stock and any improvements in respect to the tract made by the borrower or any predecessor to his interest in the tract, and (2) the amount of the lien.

Lands to revert in commission.

*Proviso.*  
Payment of difference to borrower.

Ejectment procedure.

SEC. 217. In case the lessee or borrower or the successor to his interest in the tract, as the case may be, fails to comply with any order issued by the commission under the provisions of section 210 or 216 of this title, the commission may (1) bring action of ejectment

Lease of forfeited  
tracts.  
*Act*, pp. 111, 113.

Lessees not eligible  
for loans under Terri-  
torial Act.

Agricultural experts  
authorized.

Duties, etc.

Water for home  
lands.

Appropriations au-  
thorized for projects.

Issue of bonds.

Payments from  
home loan fund.

To meet interest.

For sinking fund.

Terms construed.

"Water license."

"Surplus water."

Licenses to grant  
water for live stock,  
etc., free of charge.

Supplying water for  
live stock or domestic  
needs.

or other appropriate proceeding, or (2) invoke the aid of the circuit court of the Territory for the judicial circuit in which the tract designated in the commission's order is situated. Such court may thereupon order the lessee or his successor to comply with the order of the commission. Any failure to obey the order of the court may be punished by it as contempt thereof. Any tract forfeited under the provisions of section 210 or 216 of this title may be again leased by the commission as authorized by the provisions of section 207 of this title, except that the value, in the opinion of the commission, of all improvements made in respect to such tract by the original lessee or any successor to his interest therein shall constitute a loan by the commission to the new lessee. Such loan shall be subject to the provisions of this section and sections 215, except paragraph (1), and 216 to the same extent as loans made by the commission from the Hawaiian loan fund.

SEC. 218. No lessee of any tract or any successor to his interest therein shall be eligible to receive in respect to such tract any loan made under the provisions of the act of the legislature of the Territory entitled "the Farm Loan Act of Hawaii," approved April 30, 1919.

SEC. 219. The commission is authorized to employ agricultural experts at such compensation and in such number as it deems necessary. The annual expenditures for such compensation shall not exceed \$6,000. It shall be the duty of such agricultural experts to instruct and advise the lessee of any tract or the successor to the lessee's interest therein as to the best methods of diversified farming and stock raising and such other matters as will tend successfully to accomplish the purposes of this title.

SEC. 220. The commission is hereby authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands. The legislature of the Territory is authorized to appropriate out of the treasury of the Territory such sums as it deems necessary to provide the commission with funds sufficient to execute such projects. The legislature is further authorized to issue bonds to the extent required to yield the amount of any sum so appropriated. The commission shall pay from the Hawaiian home loan fund into the treasury of the Territory:

(1) Upon the date when any interest payment becomes due upon any bond so issued, the amount of the interest then due; and

(2) Commencing with the first such date more than one year subsequent to the issuance of any bond and at each interest date thereafter, an amount such that the aggregate of all such amounts which become payable during the term of the bond, compounded annually at the rate of interest specified therein, shall equal the par value of the bond at the expiration of its term.

SEC. 221. (a) When used in this section—

(1) The term "water license" means any license issued by the commissioner of public lands granting to any person the right to the use of Government-owned water; and

(2) The term "surplus water" means so much of any Government-owned water covered by a water license or so much of any privately owned water as is in excess of the quantity required for the use of the licensee or owner, respectively.

(b) All water licenses issued after the passage of this Act shall be deemed subject to the condition, whether or not stipulated in the license, that the licensee shall, upon the demand of the commission, grant to it the right to use, free of all charge, any water which the commission deems necessary adequately to supply the live stock or the domestic needs of individuals upon any tract.

(c) In order adequately to supply live stock or the domestic needs of individuals upon any tract, the commission is authorized

(1) to use, free of all charge, Government-owned water not covered by any water license or covered by a water license issued after the passage of this Act, or covered by a water license issued previous to the passage of this Act but containing a reservation of such water for the benefit of the public, and (2) to contract with any person for the right to use or to acquire, under eminent domain proceedings similar, as near as may be, to the proceedings provided in respect to land by sections 667 to 678, inclusive, of the Revised Laws of Hawaii of 1915, the right to use any privately owned surplus water or any Government-owned surplus water covered by a water license issued previous to the passage of this Act, but not containing a reservation of such water for the benefit of the public. Any such acquirement shall be held to be for a public use and purpose. The commission may institute the eminent domain proceedings in its own name.

Free use of Government-owned water, etc.

Contract for privately owned surplus water, etc.

Under eminent domain proceedings.

Other Government-owned water, etc.

Future licenses to grant free use of water from designated sources.

(d) The commission is authorized, for the additional purpose of adequately irrigating any tract, to use, free of all charge, Government-owned water upon the island of Molokai and Government-owned surplus water tributary to the Waimea River upon the island of Kauai, not covered by a water license or covered by a water license issued after the passage of this Act. Any water license issued after the passage of this Act and covering any such Government-owned water shall be deemed subject to the condition, whether or not stipulated therein, that the licensee shall, upon the demand of the commission, grant to it the right to use, free of all charge, any of the water upon the island of Molokai, and any of the surplus water tributary to the Waimea River upon the island of Kauai, which is covered by the license and which the commission deems necessary for the additional purpose of adequately irrigating any tract.

Right to use ditches or pipe lines.

(e) All rights conferred on the commission by this section to use, contract for, acquire the use of water shall be deemed to include the right to use, contract for, or acquire the use of any ditch or pipe line constructed for the distribution and control of such water and necessary to such use by the commission.

Authority of commission for expenses, etc.

Payable from home loan fund.

Reports to legislature.

Bond of executive officer and secretary.

SEC. 222. The commission may make such regulations and, with the approval in writing of the governor of the Territory, may make such expenditures including salaries, and appoint and remove such employees and agents, as are necessary to the efficient execution of the functions vested in the commission by this title. All expenditures of the commission shall be allowed and paid, and all moneys necessary for loans made by the commission in accordance with the provisions of this title advanced, from the Hawaiian home loan fund upon the presentation of itemized vouchers therefor, approved by the chairman of the commission. The commission shall make a biennial report to the legislature of the Territory upon the first day of each regular session thereof and such special reports as the legislature may from time to time require. The executive officer and secretary shall give bond in the sum of \$25,000 for the faithful performance of his duties. The sureties upon the bond and the conditions thereof shall be approved annually by the commission.

Right to alter, etc., reserved.

SEC. 223. The Congress of the United States reserves the right to alter, amend, or repeal the provisions of this title.

### TITLE 3.—AMENDMENTS TO HAWAIIAN ORGANIC ACT.

Organic Act amendments.

Legislature.

SEC. 301. Section 26 of the Hawaiian Organic Act is hereby amended to read as follows:

"SEC. 26. That the members of the legislature shall receive for their services, in addition to mileage at the rate of 20 cents a mile each way, the sum of \$1,000 for each regular session, payable in three equal installments on and after the first, thirtieth, and fiftieth

Pay of members increased. Vol. 36, p. 444, amended.

*Provido.*  
Extra session.  
Vol. 31, p. 150.  
Legislative powers.  
Vol. 31, p. 150, amended.  
Limit of corporation  
real estate holdings,  
etc., omitted.

Territorial indebted-  
ness.  
Matter stricken out.  
Vol. 31, p. 151; Vol.  
36, p. 444, amended.  
Maximum increased.

Executive power.

Governor.  
Appointment and  
term.  
Vol. 31, p. 153, amend-  
ed.

Qualifications, etc.  
Citizenship require-  
ment.

Public lands.  
Vol. 31, p. 154, amend-  
ed.

Meaning of terms.  
"Commissioner."

"Land board."

"Public lands."

Exceptions:  
A etc., p. 109.

"Person."

Meaning of terms in  
Hawaiian laws to be  
the same as herein.

days of the session, and the sum of \$500 for each special session: *Provided*, That they shall receive no compensation for any extra session held under the provisions of section 54 of this Act."

SEC. 302. Section 55 of the Hawaiian Organic Act is hereby amended by deleting therefrom that portion thereof which reads: "*Provided*, That no corporation, domestic or foreign, shall acquire and hold real estate in Hawaii in excess of one thousand acres, and all real estate acquired or held by such corporation or association contrary hereto shall be forfeited and escheat to the United States, but existing vested rights in real estate shall not be impaired," and by amending so much of section 55 as reads, "and the total indebtedness of the Territory shall not at any time be extended beyond 7 per centum of such assessed value of property in the Territory," to read as follows: "and the total indebtedness of the Territory shall not at any time be extended beyond 10 per centum of such assessed value of property in the Territory."

SEC. 303. Section 66 of the Hawaiian Organic Act is hereby amended to read as follows:

"SEC. 66. That the executive power of the government of the Territory of Hawaii shall be vested in a governor, who shall be appointed by the President, by and with the advice and consent of the Senate of the United States, and shall hold office for four years and until his successor shall be appointed and qualified, unless sooner removed by the President. He shall be not less than thirty-five years of age; shall be a citizen of the Territory of Hawaii; shall have resided therein for at least three years next preceding his appointment; shall be commander in chief of the militia thereof; and may grant pardons or reprieves for offenses against the laws of the said Territory and reprieves for offenses against the laws of the United States until the decision of the President is made known thereon."

SEC. 304. The first, second, and third paragraphs of section 73 of the Hawaiian Organic Act are hereby amended to read as follows:

"SEC. 73. (a) That when used in this section—

"(1) The term 'commissioner' means the commissioner of public lands of the Territory of Hawaii;

"(2) The term 'land board' means the board of public lands, as provided in subdivision (1) of this section;

"(3) The term 'public lands' includes all lands in the Territory of Hawaii classed as government or crown lands previous to August 15, 1895, or acquired by the government upon or subsequent to such date by purchase, exchange, escheat, or the exercise of the right of eminent domain, or in any other manner; except (1) lands designated in section 203 of the Hawaiian Homes Commission Act, 1920, (2) lands set apart or reserved by Executive order by the President, (3) lands set aside or withdrawn by the governor under the provisions of subdivision (g) of this section, (4) sites of public buildings, lands used for roads, streets, landings, nurseries, parks, tracts reserved for forest growth or conservation of water supply, or other public purposes, and (5) lands to which the United States has relinquished the absolute fee and ownership, unless subsequently placed under the control of the commissioner and given the status of public lands in accordance with the provisions of this Act, the Hawaiian Homes Commission Act, 1920, or the Revised Laws of Hawaii of 1915; and

"(4) The term 'person' includes individual, partnership, corporation, and association.

"(b) Any term defined or described in section 347 or 351 of the Revised Laws of Hawaii of 1915, except a term defined in subdivision (a) of this section, shall, whenever used in this section, if not inconsistent with the context or any provision of this section, have the same meaning as given it by such definition or description.

"(c) The laws of Hawaii relating to public lands, the settlement of boundaries, and the issuance of patents on land commission awards, except as changed by this Act, shall continue in force until Congress shall otherwise provide. Subject to the approval of the President, all sales, grants, leases, and other dispositions of the public domain, and agreements concerning the same, and all franchises granted by the Hawaiian government in conformity with the laws of Hawaii, between the 7th day of July, 1898, and the 28th day of September, 1899, are hereby ratified and confirmed. In said laws 'land patent' shall be substituted for 'royal patent'; 'commissioner of public lands,' for 'minister of the interior,' 'agent of public lands,' and 'commissioners of public lands,' or their equivalents; and the words 'that I am a citizen of the United States,' or 'that I have declared my intention to become a citizen of the United States, as required by law,' for the words 'that I am a citizen by birth (or naturalization) of the Republic of Hawaii,' or 'that I have received letters of denization under the Republic of Hawaii,' or 'that I have received a certificate of special right of citizenship from the Republic of Hawaii.'

Continuance of Hawaiian land laws, etc.

Substitution of terms.

"(d) No lease of agricultural lands or of undeveloped arid public land which is capable of being converted into agricultural land by the development, for irrigation purposes, of either the underlying or adjacent waters, or both, shall be granted, sold, or renewed by the government of the Territory of Hawaii for a longer period than fifteen years. Each such lease shall be sold at public auction to the highest bidder after due notice as provided in subdivision (h) of this section and the laws of the Territory of Hawaii. Each such notice shall state all the terms and conditions of the sale. The land, or any part thereof so leased, may at any time during the term of the lease be withdrawn from the operation thereof for homestead or public purposes, in which case the rent reserved shall be reduced in proportion to the value of the part so withdrawn. Every such lease shall contain a provision to that effect: *Provided*, That the commissioner may, with the approval of the governor and at least two-thirds of the members of the land board, omit such withdrawal provision from the lease of any lands suitable for the cultivation of sugar cane whenever he deems it advantageous to the Territory of Hawaii. Land so leased shall not be subject to such right of withdrawal.

Leases of agricultural lands.  
Vol. 21, p. 155, amended.

Withdrawal for homesteads, etc.

Proviso.  
Sugar cane leases.

Not subject to withdrawal.

Disposal of funds.

"(e) All funds arising from the sale or lease or other disposal of public land shall be appropriated by the laws of the government of the Territory of Hawaii and applied to such uses and purposes for the benefit of the inhabitants of the Territory of Hawaii as are consistent with the joint resolution of annexation, approved July 7, 1898.

Vol. 30, p. 730.

"(f) No person shall be entitled to receive any certificate of occupation, right of purchase lease, cash freehold agreement, or special homestead agreement who, or whose husband or wife, has previously taken or held more than ten acres of land under any such certificate, lease, or agreement made or issued after May 27, 1910, or under any homestead lease or patent based thereon; or who, or whose husband or wife, or both of them, owns other land in the Territory, the combined area of which and the land in question exceeds eighty acres; or who is an alien, unless he has declared his intention to become a citizen of the United States as provided by law. No person who has so declared his intention and taken or held under any such certificate, lease, or agreement shall continue so to hold or become entitled to a homestead lease or patent of the land, unless he becomes a citizen within five years after so taking.

Issue of certificates, leases, and agreements, limited.  
Vol. 36, p. 444, amended.

"(g) No public land for which any such certificate, lease, or agreement is issued after May 27, 1910, or any part thereof, or interest therein or control thereof, shall, without the written consent of the

Transfers to corporations or aliens restricted.  
Vol. 36, p. 445, amended.



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| To another person.  | commissioner and governor, thereafter, whether before or after a homestead lease of patent has been issued thereon, be or be contracted to be in any way, directly or indirectly, by process of law or otherwise, conveyed, mortgaged, leased, or otherwise transferred to, or acquired or held by or for the benefit of, any alien or corporation; or before or after the issuance of a homestead lease or before the issuance of a patent to or by or for the benefit of any other person; or, after the issuance of a patent, to or by or for the benefit of any person who owns, or holds, or controls, directly or indirectly, other land or the use thereof, the combined area of which and the land in question exceeds eighty acres. The prohibitions of this paragraph shall not apply to transfers or acquisitions by inheritance or between tenants in common."  |
| Limitation.   |   |
| Inheritances, etc., not included.   |   |
| Letterings of paragraphs.<br>Vol. 36, p. 445, amended.  | SEC. 305. The fourth and fifth paragraphs of section 73 of the Hawaiian Organic Act are hereby amended by inserting "(h)" at the beginning of the fourth paragraph and "(i)" at the beginning of the fifth paragraph.   |
| Preference right of citizen residents to purchase lands for homes.<br>Vol. 36, p. 445, amended. | SEC. 306. The sixth paragraph of section 73 of the Hawaiian Organic Act is hereby amended to read as follows:<br>"(j) The commissioner, with the approval of the governor, may give to any person (1) who is a citizen of the United States or who has legally declared his intention to become a citizen of the United States and hereafter becomes such, and (2) who has, or whose predecessors in interest have, improved any parcel of public lands and resided thereon continuously for the ten years next preceding the application to purchase, a preference right to purchase so much of such parcel and such adjoining land as may reasonably be required for a home, at a fair price to be determined by three disinterested citizens to be appointed by the governor. In the determination of such purchase price the commissioner may, if he deems it just and reasonable, disregard the value of the improvements on such parcel and adjoining land. If such parcel of public lands is reserved for public purposes, either for the use of the United States or the Territory of Hawaii, the commissioner may with the approval of the governor grant to such person a preference right to purchase public lands which are of similar character, value, and area, and which are situated in the same land district. The privilege granted by this paragraph shall not extend to any original lessee or to an assignee of an entire lease of public lands." |
| In lieu of reserved lands.  |   |
| Lessees of public lands not included.   |   |
| Lettering of paragraph.<br>Vol. 36, p. 445, amended.  | SEC. 307. The seventh paragraph of section 73 of the Hawaiian Organic Act is hereby amended by inserting "(k)" at the beginning thereof.  |
| Limit of area or value.<br>Vol. 36, p. 446, amended.  | SEC. 308. The eighth paragraph of section 73 of the Hawaiian Organic Act is hereby amended to read as follows:<br>"(1) No sale of lands for other than homestead purposes, except as herein provided, and no exchange by which the Territory shall convey lands exceeding either forty acres in area or \$5,000 in value shall be made. No lease of agricultural lands exceeding forty acres in area, or of pastoral or waste lands exceeding two hundred acres in area, shall be made without the approval of two-thirds of the board of public lands, which is hereby constituted, the members of which are to be appointed by the governor as provided in section 80 of this Act, and until the legislature shall otherwise provide said board shall consist of six members, and its members be appointed for a term of four years: <i>Provided, however,</i> That the commissioner shall, with the approval of said board, sell to any citizen of the United States, or to any person who has legally declared his intention to become a citizen, for residence purposes lots and tracts, not exceeding three acres in area, and that sales of Government lands may be made upon the approval of said board whenever necessary to locate thereon railroad rights of way, railroad tracks, side tracks,  |
| Leases of agricultural, pastoral, or waste lands.   |   |
| Approval of board.<br>Board constituted.  |   |
| Vol. 31, p. 156.  |   |
| Proviso.<br>Sales of residence lots, lands for public utilities, etc.                           |   |

depot grounds, pipe lines, irrigation ditches, pumping stations, reservoirs, factories, and mills and appurtenances thereto, including houses for employees, mercantile establishments, hotels, churches, and private schools; and all such sales shall be limited to the amount actually necessary for the economical conduct of such business or undertaking: *Provided further*, That no exchange of Government lands shall hereafter be made without the approval of two-thirds of the members of said board, and no such exchange shall be made except to acquire lands directly for public uses."

Exchanges limited.

SEC. 309. The ninth paragraph of section 73 of the Hawaiian Organic Act is hereby amended by inserting "(m)" at the beginning thereof.

Lettering of paragraph.  
Vol. 36, p. 446, amended.

SEC. 310. The tenth paragraph of section 73 of the Hawaiian Organic Act is hereby amended to read as follows:

Agricultural and pastoral lands.

"(n) It shall be the duty of the commissioner to cause to be surveyed and opened for homestead entry a reasonable amount of desirable agricultural lands and also of pastoral lands in the various parts of the Territory for homestead purposes on or before January 1, 1911, and he shall annually thereafter cause to be surveyed for homestead purposes such amount of agricultural lands and pastoral lands in various parts of the Territory as there may be demand for by persons having the qualifications of homesteaders. In laying out any homestead the commissioner shall include in the homestead lands sufficient to support thereon an ordinary family, but not exceeding eighty acres of agricultural lands and two hundred and fifty acres of first-class pastoral lands or five hundred acres of second-class pastoral lands; or in case of a homestead, including pastoral lands only, not exceeding five hundred acres of first-class pastoral lands or one thousand acres of second-class pastoral lands. All necessary expenses for surveying and opening any such lands for homesteads shall be paid for out of any funds of the Territorial treasury derived from the sale or lease of the public lands, which funds are hereby made available for such purposes.

Surveys for homestead entries.  
Vol. 36, p. 446, amended.

Area allowed.

Expenses from public land sales, etc.

"(o) The commissioner, with the approval of the governor, may by contract or agreement authorize any person who has the right of possession, under a general lease from the Territory, of agricultural or pastoral lands included in any homestead, to continue in possession of such lands after the expiration of the lease until such time as the homesteader takes actual possession thereof under any form of homestead agreement. The commissioner may fix in the contract or agreement such other terms and conditions as he deems advisable."

Possession to continue with leaseholder until lands taken by homesteader.

SEC. 311. The eleventh and twelfth paragraphs of section 73 of the Hawaiian Organic Act are hereby amended by inserting "(p)" at the beginning of the eleventh paragraph and "(q)" at the beginning of the twelfth paragraph.

Lettering of paragraphs.  
Vol. 36, pp. 446, 447, amended.

SEC. 312. The fourth paragraph of section 80 of the Hawaiian Organic Act is hereby amended to read as follows:

Officers.

"All officers appointed under the provisions of this section shall be citizens of the Territory of Hawaii and shall have resided therein for at least three years next preceding their appointment."

Citizenship and residence required.  
Vol. 31, p. 156, amended.

SEC. 313. Section 86 of the Hawaiian Organic Act is hereby amended to read as follows:

District court.  
Vol. 35, p. 533, amended.

"Sec. 86. (a) That there shall be established in the said Territory a district court, to consist of two judges, who shall reside therein and be called district judges, and who shall each receive an annual salary of \$7,500. The said court while in session shall be presided over by only one of said judges. The two judges shall from time to time, either by order or rules of the court, prescribe at what times and in what class of cases each of them shall preside. The said two judges shall have the same powers in all matters coming before said court."

Established with two judges.

Division of cases.

Appointment  
of judges, attorney,  
and marshal.  
Citizenship require-  
ment.

Term of office.

Jurisdiction.

Procedure, etc.

Appeals, writs of  
error, etc.

Terms.

Clerk.

Reporter.

Deputy clerks.  
Appeals from Terri-  
torial supreme court  
omitted.

Officers.  
Vol. 36, p. 448, amend-  
ed.

Salaries from United  
States.  
Pay increased.

Private secretary of  
governor.

New sections.

Mechanics or labor-  
ers on public works to  
be citizens, or eligibles.

"(b) The President of the United States, by and with the advice and consent of the Senate of the United States, shall appoint two district judges, a district attorney, and a marshal of the United States for the said district, all of whom shall be citizens of the Territory of Hawaii and shall have resided therein for at least three years next preceding their appointment. Said judges, attorney, and marshal shall hold office for six years unless sooner removed by the President.

"(c) The said court shall have, in addition to the ordinary jurisdiction of district courts of the United States, jurisdiction of all cases cognizable in a circuit court of the United States, and shall proceed therein in the same manner as a circuit court; and the said judges, district attorney, and marshal shall have and exercise in the Territory of Hawaii all the powers conferred by the laws of the United States upon the judges, district attorneys, and marshals of district and circuit courts of the United States.

"(d) Writs of error and appeals from the said district court shall be had and allowed to the circuit court of appeals for the ninth judicial circuit in the same manner as writs of error and appeals are allowed from circuit courts to circuit courts of appeal as provided by law, and appeals and writs of error may be taken to the Supreme Court of the United States from said district court in cases where appeals and writs of error are allowed from the district and circuit courts of the United States to the Supreme Court, and the laws of the United States relating to juries and jury trials shall be applicable to said district court. The laws of the United States relating to appeals, writs of error, removal of causes, and other matters and proceedings as between the courts of the United States and the courts of the several States shall govern in such matters and proceedings as between the courts of the United States and the courts of the Territory of Hawaii. Regular terms of said court shall be held at Honolulu on the second Monday in April and October, and special terms may be held at such times and places in said district as the said judges may deem expedient. The said district judges shall appoint a clerk of said court at a salary of \$4,200 per annum and shall appoint a reporter of said court at a salary of \$3,000 per annum. The clerk of the district court with the approval of the judges thereof may appoint two deputy clerks at salaries of \$2,500 each per annum.

SEC. 314. Section 92 of the Hawaiian Organic Act is hereby amended to read as follows:

"SEC. 92. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, \$10,000; the secretary of the Territory, \$5,400; the chief justice of the Supreme Court of the Territory, \$7,500; the associate judges of the Supreme Court, \$7,000 each; the judges of the circuit courts, \$6,000 each; the United States district attorney, \$5,000; the United States marshal, \$5,000. The governor shall receive annually from the United States, in addition to his salary, (1) the sum of \$1,000 for stationery, postage, and incidentals, and (2) his traveling expenses while absent from the capital on official business. The governor is authorized to employ a private secretary who shall receive an annual salary of \$3,000, to be paid by the United States."

SEC. 315. The Hawaiian Organic Act is hereby further amended by adding at the end thereof three additional sections to read as follows:

"SEC. 105. That no person shall be employed as a mechanic or laborer upon any public work carried on in the Territory of Hawaii by the Government of the United States, whether the work is done by contract or otherwise, unless such person is a citizen of the United States or eligible to become such a citizen.

"SEC. 106. The board of harbor commissioners of the Territory of Hawaii shall have and exercise all the powers and shall perform all the duties which may lawfully be exercised by or under the Territory of Hawaii relative to the control and management of the shores, shore waters, navigable streams, harbors, harbor and water-front improvements, ports, docks, wharves, quays, bulkheads, and landings belonging to or controlled by the Territory, and the shipping using the same, and shall have the authority to use and permit and regulate the use of the wharves, piers, bulkheads, quays, and landings belonging to or controlled by the Territory for receiving or discharging passengers and for loading and landing merchandise, with a right to collect wharfage and demurrage thereon or therefor, and, subject to all applicable provisions of law, to fix and regulate from time to time rates for services rendered in mooring vessels, charges for the use of moorings belonging to or controlled by the Territory, rates or charges for the services of pilots, wharfage, or demurrage, rents or charges for warehouses or warehouse space, for office or office space, for storage of freight, goods, wares, and merchandise, for storage space for the use of donkey engines, derricks, or other equipment belonging to the Territory, under the control of the board, and to make other charges, including toll or tonnage charges on freight passing over or across wharves, docks, quays, bulkheads, or landings. The board shall likewise have power to appoint and remove clerks, wharfingers and their assistants, pilots and pilot-boat crews, and all such other employees as may be necessary, and to fix their compensation; to make rules and regulations pursuant to this section and not inconsistent with law; and generally shall have all powers necessary fully to carry out the provisions of this section.

Board of harbor commissioners.  
Powers and duties specified.

"All moneys appropriated for harbor improvements, including new construction, reconstruction, repairs, salaries, and operating expenses, shall be expended under the supervision and control of the board, subject to the provisions of law. All contracts and agreements authorized by law to be entered into by the board shall be executed on its behalf by its chairman.

Supervision, etc., by, of harbor improvements, expenses, etc.

"The board shall prepare and submit annually to the governor a report of its official acts during the preceding year, together with its recommendations as to harbor improvements throughout the Territory.

Annual report of official acts, etc.

"SEC. 107. That this Act may be cited as the 'Hawaiian Organic Act.'"

Title of Act.

#### TITLE 4.—MISCELLANEOUS PROVISIONS.

Miscellaneous.

SEC. 401. All Acts or parts of Acts, either of the Congress of the United States or of the Territory of Hawaii, to the extent that they are inconsistent with the provisions of this Act, are hereby repealed.

Inconsistent laws repealed.

SEC. 402. If any provision of this Act, or the application of such provision to certain circumstances, is held unconstitutional, the remainder of the Act and the application of such provision to circumstances other than those as to which it is held unconstitutional shall not be held invalidated thereby.

Invalidity of any provision not to affect others.

Approved, July 9, 1921.

CHAP. 43.—Joint Resolution Ratifying and confirming from and including July 1, 1921, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1922.

July 11, 1921.  
[H. J. Res. 173.]  
[Pub. Res., No. 9.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations for the service of the fiscal year 1922, contained in the Act entitled "An Act making appropriations for the naval service for the fiscal year ending*

Naval appropriations, 1922.  
Post, p. 122.

Made available from  
July 1, 1921.

Obligations ratified  
and confirmed.

June 30, 1922, and for other purposes," are hereby made available from and including July 1, 1921, for the purposes provided in such appropriations for the service of such fiscal year. And all obligations incurred pursuant to the terms of such appropriations in the aforesaid Act as approved are ratified and confirmed from and including July 1, 1921.

Approved, July 15, 1921.

July 12, 1921.  
[H. R. 4803.]  
[Public, No. 35.]

**CHAP. 44.**—An Act Making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

Naval service appro-  
priations.  
Act, p. 121.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the naval service of the Government for the year ending June 30, 1922, and for other purposes:

General expenses.

#### GENERAL EXPENSES.

Schedule of all pay  
and allowances to be  
sent to Congress.

The Secretary of the Navy shall send to Congress at the beginning of its next regular session a complete schedule or list showing the amount of money of all pay and for all allowances for each grade of officers in the Navy, including retired officers, and for all officers included in this Act and for all enlisted men so included.

Pay, miscellaneous.

#### PAY, MISCELLANEOUS.

Expenses designated.

Mileage to midship-  
men entering Naval  
Academy.

For commissions and interest; transportation of funds; exchange; mileage to officers of the Navy and Naval Reserve Force while traveling under orders in the United States, and for actual personal expenses of officers of the Navy and Naval Reserve Force while traveling abroad under orders, and for traveling expenses of civilian employees; and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen; for actual traveling expenses of female nurses; actual expenses of officers while on shore patrol duty; hire of launches or other small boats in Asiatic waters; for rent of buildings and offices not in navy yards; expenses of courts-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks, and witnesses' fees, and traveling expenses and costs; expenses of naval defense districts; stationery and recording; religious books; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying; ferriage; tolls; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, including maintenance of students and attachés; information from abroad and at home, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), and not to exceed \$250,000 for telephone rentals and tolls, telegrams and cablegrams; postage, foreign and domestic, and post-office box rentals; and other necessary and incidental expenses: *Provided*, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, naval training

Information from  
abroad, etc.

*Provides.*  
Restriction on use in  
naval districts.

station, or naval operating base: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1922, shall not exceed \$750,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, and for payment of claims for damages under Naval Act approved July 11, 1919; in all, \$3,500,000.

Clerical, etc., services at yards and stations.

Interned persons and prisoners of war.

Private damages claims.  
Vol. 41, p. 132.

Contingent.

CONTINGENT, NAVY: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, \$50,000.

Authority of the Secretary.

TEMPORARY GOVERNMENT FOR WEST INDIAN ISLANDS: For expenses incident to the occupation of the Virgin Islands and to the execution of the provisions of the Act providing a temporary government for the West Indian Islands acquired by the United States from Denmark, and for other purposes, approved March 3, 1917, to be applied under the direction of the President, \$343,440: *Provided*, That no person owing allegiance to any country other than the United States of America shall be eligible to hold office as a member of the colonial councils of the Virgin Islands of the United States nor to hold any public office under the government of said islands: *Provided further*, That the income tax laws now in force in the United States of America and those which may hereafter be enacted shall be held to be likewise in force in the Virgin Islands of the United States, except that the proceeds of such taxes shall be paid into the treasuries of said islands.

Virgin Islands.  
Temporary government in.  
Vol. 39, p. 1132.

Proviso.  
Citizenship requirements for office in.

United States income tax laws applicable.  
Use of proceeds.  
Post, p. 271.

EXPENSES, CIVILIAN NAVAL CONSULTING BOARD: For actual expenses incurred by and in connection with the civilian naval consulting board, including the services of one clerk, at \$1,400 per annum, for duty in connection with the board at Washington, District of Columbia, \$5,000.

Civilian consulting board.

AVIATION, NAVY: For aviation, to be expended under the direction of the Secretary of the Navy, as follows: For aircraft and accessories in course of construction or manufacture on June 30, 1921, \$440,000; for new construction and procurement of aircraft and equipment, \$5,323,000; for navigational, photographic, and aerological equipment, including repairs thereto, for use with aircraft built or building on June 30, 1921, \$49,250; for maintenance, repair, and operation of aircraft factory, helium plant, air stations, fleet activities, testing laboratories, and for overhauling of planes, \$4,534,181; for continuing experiments and development work on all types of aircraft, \$1,615,000; for drafting, clerical, inspection, and messenger service for aircraft stations, \$275,000; new construction, buildings, and improvements at air stations at a total cost not to exceed \$1,177,000, as follows: Coco Solo, \$392,000; Hampton Roads, \$70,000; Lakehurst, \$280,000; Pearl Harbor, \$185,000; Pensacola, \$100,000; San Diego, \$150,000; in all, \$13,413,431, and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing laws as "Aviation" and for that purpose shall constitute one fund: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of \$250: *Provided further*, That all claims

Aviation.  
Expenses designated.  
Post, p. 141.

Helium plant, etc.

Air station buildings, etc.

Accounting and disbursement.

Proviso.  
Damages from aircraft.

Report of adjusted claims.

|   |   |
|---|---|
| Shore stations limited to six.  | adjusted under this authority during any fiscal year shall be reported in detail to the Congress by the Secretary of the Navy: <i>Provided</i> , That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of the continental United States: <i>Provided further</i> , That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes.   |
| Airplane factory forbidden.   | STATE MARINE SCHOOLS: To reimburse the State of New York, \$25,000, the State of Massachusetts, \$25,000, the State of Washington, \$25,000, and the State of Pennsylvania, for the period from April 1, 1920, to June 30, 1921, \$31,250, for expenses incurred in the maintenance and support of marine schools in those States in accordance with section 2 of the Act entitled "An Act for the establishment of marine schools, and for other purposes," approved March 4, 1911; in all, \$106,250.   |
| State marine schools. Reimbursement for, to designated States.                    | CARE OF LEPERS, ETC., ISLAND OF GUAM: Naval station, island of Guam: Maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Culion, in the Philippines, and their maintenance, \$20,000.   |
| Vol. 36, p. 1253.   | BUREAU OF NAVIGATION.   |
| Lepers, etc. Care, etc., at Culion, P. I.   | Transportation and recruiting: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu thereof; transportation of enlisted men of the Naval Reserve Force to and from duty, with subsistence and transfers en route, or cash in lieu thereof; transportation of civilian officers and crews of naval auxiliaries; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of enlisted men, \$3,500,000. |
| Bureau of Navigation.   | The Bureau of Navigation, Navy Department, is hereby directed to furnish to the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before October 31, 1921, statements of the services of all persons from those several places who served in the Navy during the War with Germany, and for that purpose exclusively an additional sum not to exceed \$25,000 is hereby appropriated for obtaining the necessary material and the employment of the necessary clerical force.   |
| Transportation, etc.  | RECREATION FOR ENLISTED MEN: For the recreation, amusement, comfort, contentment, and health of the Navy, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe: <i>Provided</i> , That not more than two persons shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum, \$800,000.   |
| Naval Reserve Force, etc.   | Contingent: Ferriage, continuous-service certificates, discharges, good-conduct badges, and medals for men and boys; purchase of gymnastic apparatus; transportation of effects of deceased officers and enlisted men of the Navy, and of officers and enrolled men of the Naval Reserve Force who die while on duty; books for training  |
| Recruiting.   |   |
| Dependents of enlisted men.   |   |
| Naval service in World War. Statements to States, etc., of, by persons therefrom. |   |
| Recreation, enlisted men.   |   |
| Proviso. Pay restriction.   |   |
| Contingent.   |   |

apprentice seamen and landsmen; packing boxes and materials; books and models; stationery; and other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify, \$20,000.

Gunnery and engineering exercises.  
Prizes, etc.

Shooting galleries,  
targets, etc.

Equipment supplies,  
etc.

Ocean and lake surveys.

Training stations.  
Yerba Buena Island,  
Calif.

Rhode Island.

**GUNNERY AND ENGINEERING EXERCISES:** Prizes, trophies, and badges for excellence in gunnery, target practice, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of printing, recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges, \$100,000.

**INSTRUMENTS AND SUPPLIES:** Supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; libraries for ships of war, professional books, schoolbooks, and papers; maintenance of gunnery and other training classes; compasses, compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way, and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; and for the necessary civilian electricians for gyrocompass testing and inspection, \$750,000.

**OCEAN AND LAKE SURVEYS:** Hydrographic surveys, including the pay of the necessary hydrographic surveyors, cartographic draftsmen, and recorders, and for the purchase and printing of nautical books, charts, and sailing directions, \$105,000.

**NAVAL TRAINING STATION, CALIFORNIA:** Maintenance of naval training station, Yerba Buena Island, California: Labor and material; buildings and wharves; general care, repairs, and improvements of grounds, buildings, and wharves; wharfage, ferriage, and street car fare; purchase and maintenance of live stock, and attendance on same; wagons, carts, implements, tools, and repairs to same; fire engines and extinguishers; gymnastic implements; models and other articles needed in instruction of apprentice seamen; printing outfit and materials, and maintenance of same; heating and lighting; stationery, books, schoolbooks, and periodicals; fresh water, and washing; packing boxes and materials; and all other contingent expenses; maintenance of dispensary building; lectures and suitable entertainments for apprentice seamen; in all, \$125,000.

**NAVAL TRAINING STATION, RHODE ISLAND:** Maintenance of naval training station, Rhode Island, labor and material, buildings and wharves; dredging channels; extending sea walls; repairs to causeway and sea wall; general care, repairs, and improvements of grounds, buildings, and wharves; wharfage, ferriage, and street car fare; purchase and maintenance of live stock, and attendance on same; wagons, carts, implements, and tools, repairs to same, including the maintenance, repair, and operation of two horse-drawn passenger-carrying vehicles to be used only for official purposes; fire engines and extinguishers; gymnastic implements; models and other articles needed in instruction of apprentice seamen; printing outfit and materials, and maintenance of same; heating and lighting; stationery, books, schoolbooks, and periodicals; fresh water, and washing; packing boxes and materials; and all other contingent expenses; lectures and suitable entertainments for apprentice seamen; in all,



*Provided.*  
Clerical, etc., serv-  
ices.

\$185,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1922, shall not exceed \$15,701.60.

Great Lakes, Ill.

NAVAL TRAINING STATION, GREAT LAKES: Maintenance of naval training station: Labor and material; general care, repairs, and improvements of grounds, buildings, and piers; street car fare; purchase and maintenance of live stock, and attendance on same; wagons, carts, implements, and tools, and repairs to same, including the maintenance, repair, and operation of one horse-drawn passenger-carrying vehicle to be used only for official purposes; fire apparatus and extinguishers; gymnastic implements; models and other articles needed in instruction of apprentice seamen; printing outfit and material, and maintenance of same; heating and lighting, and repairs to power-plant equipment, distributing mains, tunnel, and conduits; stationery, books, schoolbooks, and periodicals; washing; packing boxes and materials; lectures and suitable entertainments for apprentice seamen; and all other contingent expenses: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1922, shall not exceed \$45,000; in all, naval training station, Great Lakes, \$400,000.

*Provided.*  
Clerical, etc., serv-  
ices.

Compensation for  
land added to Great  
Lakes station.  
Vol. 40, p. 1875.

To make just compensation for land, title to which was taken over under proclamation of the President, dated November 4, 1918, as an addition to the naval training station, Great Lakes, Illinois, and for damages occasioned by delay in the payment for such land, or for the use and occupancy thereof by the United States, \$546,805, or so much thereof as may be necessary: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to dispose of, at public or private sale, at a price to be approved by him, any land in the vicinity of the Navy Mine Depot, Yorktown, Virginia, and the naval training station, Great Lakes, Illinois, and East Camp, Hampton Roads, Virginia, or interest therein, title to, or interest in which has been acquired by the United States subsequent to April 6, 1917, also any improvements that have been placed thereon by the United States that are deemed by him to be no longer needed for naval purposes: *Provided further*, That in cases where compensation has not as yet been made by the United States in accordance with the provisions of law, then, and in that event, the Secretary of the Navy is hereby authorized to restore such lands to former owners, and is further authorized to ascertain, determine, adjust, and pay the just compensation that such former owners are entitled to receive for the use and occupancy of such lands by the United States, such compensation to be paid from appropriations made for payments for such lands: *Provided further*, That the Secretary of the Navy, in determining the compensation for the use and occupancy of such lands, is authorized, in his discretion, to sell and convey, under such terms and conditions as he may deem appropriate, to the parties entitled to receive the land such improvements or any part thereof as may have been placed in or on said lands by the United States: *Provided further*, That the Secretary of the Navy be, and he is hereby, authorized to execute all necessary instruments to accomplish the purposes of aforesaid, and all moneys received from the disposition of such lands shall be covered into the Treasury as "miscellaneous receipts." Report shall be made to the Congress of the final disposition of the lands aforesaid.

*Provides.*  
Disposal of desig-  
nated lands no longer  
needed.

Restored to owners  
if not yet paid for.

Compensation for  
use.

Sale of improve-  
ments.

Conveyances, etc.

Report.

Hampton Roads,  
Va., training station.

NAVAL TRAINING STATION, NAVAL OPERATING BASE, HAMPTON ROADS, VIRGINIA: Maintenance of naval training station at naval operating base, Virginia: Labor and material, general care, repairs, and improvements; schoolbooks; and all other incidental expenses:

*Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1922, shall not exceed \$25,000; in all, \$375,000.

*Proviso.*  
Clerical, etc., services.

NAVAL RESERVE FORCE: For expenses of organizing, administering, and recruiting the Naval Reserve Force and Naval Militia; for the maintenance and rental of armories, including the pay of necessary janitors, and for wharfage, \$50,000: *Provided*, That no part of the money appropriated in this Act shall be used for the training of any member of the Naval Reserve Force except with his own consent.

Naval Reserve Force.  
Organizing, recruiting, etc.

*Proviso.*  
Consent to training required.

RECEIVING BARRACKS: Maintenance of receiving barracks, \$50,000.

NAVAL WAR COLLEGE, RHODE ISLAND: For maintenance of the Naval War College on Coasters Harbor Island, including the maintenance, repair, and operation of one horse-drawn passenger-carrying vehicle to be used only for official purposes; and care of ground for same, \$82,750; services of a professor of international law, \$2,000; services of civilian lecturers, rendered at the War College, \$1,200; care and preservation of the library, including the purchase, binding, and repair of books of reference and periodicals, \$5,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, and messenger service for the fiscal year ending June 30, 1922, shall not exceed \$50,000; in all, Naval War College, Rhode Island, \$90,950.

Naval War College,  
Coasters Harbor, R. I.

*Proviso.*  
Clerical, etc., services.

Naval Home, Philadelphia, Pa.  
Pay of employees.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA, PAY OF EMPLOYEES: Secretary, \$2,200; foreman mechanic, \$2,200; superintendent of grounds, \$1,080; steward, \$1,200; store laborer, \$660; matron and office assistant, \$720; beneficiaries' attendant, \$480; chief cook, \$660; assistant cooks—one \$540, one \$480; laundresses—chief \$420, five at \$360 each; scrubbers—chief \$420, three at \$360 each; waitresses—head \$480, ten at \$360 each; kitchen attendant, \$540; laborers—two at \$840 each, four at \$720 each, one \$660, five at \$600 each, five at \$540 each; stable keeper and driver, \$660; master at arms, \$900; two house corporals, at \$600 each; barber, \$600; carpenter, \$1,200; painters—one \$1,200, one \$1,020; engineer, \$1,080; chauffeurs—one for coal truck \$960, one for small truck \$840, one for governor's car \$840; electrician, \$1,400; stenographers and typewriters—two at \$1,400 each, one \$1,200, one \$1,000; telephone operator, \$900; total for employees, \$47,280;

MAINTENANCE: Water rent, heating, and lighting; cemetery, burial expenses, and headstones; general care and improvements of grounds, buildings, walls, and fences; repairs to power-plant equipment, implements, tools, and furniture, and purchase of the same; music in chapel and entertainments for beneficiaries; stationery, books, and periodicals; transportation of indigent and destitute beneficiaries to the Naval Home, and of sick and insane beneficiaries, their attendants, and necessary subsistence for both, to and from other Government hospitals; employment of such beneficiaries in and about the Naval Home, as may be authorized by the Secretary of the Navy, on the recommendation of the governor; support of beneficiaries, and all other contingent expenses, including the maintenance, repair, and operation of one horse-drawn passenger-carrying vehicle, two motor-propelled vehicles, and one motor-propelled passenger-carrying vehicle, to be used only for official purposes, \$110,866;

In all, Naval Home, \$157,646, which sum shall be paid out of the income from the naval pension fund.

Maintenance.

Payable from naval pension fund.

#### BUREAU OF ORDNANCE.

Bureau of Ordnance.

ORDNANCE AND ORDNANCE STORES: For procuring, producing, preserving, and handling ordnance material; for the armament of ships,

Ordnance and ordnance stores.

for fuel, material, and labor to be used in the general work of the Ordnance Department; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; for the maintenance, repair, or operation of horse-drawn and motor-propelled freight and passenger carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations, and for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for chemists, clerical, drafting, inspection, watchmen, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots for the fiscal year ending June 30, 1922, shall not exceed \$2,000,000; in all, \$14,000,000.

*Previous.*  
Chemical, etc., services.

Smokeless powder.

Experimental work.

Purchase and manufacture of smokeless powder, \$200,000.

**EXPERIMENTS, BUREAU OF ORDNANCE:** For experimental work in the development of armor-piercing and other projectiles, fuses, powders, and high explosives, in connection with problems of the attack of armor with direct and inclined fire at various ranges, including the purchase of armor, powder, projectiles, and fuses for the above purposes and of all necessary material and labor in connection therewith; and for other experimental work under the cognizance of the Bureau of Ordnance, in connection with the development of ordnance material for the Navy, \$250,000.

Contingent.

**CONTINGENT, BUREAU OF ORDNANCE:** For miscellaneous items, namely, cartage, expenses of light and water at ammunition depots and stations, tolls, ferriage, technical books, and incidental expenses attending inspection of ordnance material, \$20,000.

Buildings, etc., for Bureau.  
Use of appropriations for increase of the Navy, etc., for, restricted.

That no part of the appropriations heretofore, herein, or hereafter made for "Increase of the Navy" under the Bureau of Ordnance and no part of allotments of appropriations heretofore or hereafter made to said bureau shall be available for the payment for services or materials used in the construction of any shop, building, living quarters, or other structures, except such temporary structures costing not in excess of \$5,000 each as may be incident to current work of said bureau, or for additions and betterments to any existing shore station facilities unless the appropriation shall in terms specifically authorize such construction or additions and betterments: *Provided*, That nothing herein shall be construed as interfering in any way with any existing contract or any work in progress on the date of the approval of this Act: *Provided further*, That hereafter no money appropriated for ordnance or ordnance material or material purchased therewith shall be used for any other purpose than that for which the appropriation was made: *Provided further*, That nothing herein shall be construed as preventing the allocation of armor, armament, ammunition, ordnance material, equipment, and accessories to ships according to the requirements of the naval service.

Specific authorization required.

*Previous.*  
Work in progress, etc., not interfered with.

Money to be used only for which appropriated.

Allocation of armor, etc., to service requirements not prevented.

Bureau of Yards and Docks.

#### BUREAU OF YARDS AND DOCKS.

Maintenance.

**MAINTENANCE, BUREAU OF YARDS AND DOCKS:** For general maintenance of yards and docks, namely, for books, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery; operation, repair, purchase, maintenance of horses and driving teams, carts, timber wheels, and all vehicles, including motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes, and including motor-propelled vehicles for freight-carrying purposes only for use in all navy yards and

Vehicles, etc.

naval stations; tools and repair of the same; stationery; furniture for Government houses and offices in navy yards and naval stations; coal and other fuel; candles, oil, and gas, attendance on light and power plants; cleaning and clearing up yards and care of buildings; attendance on fires, lights, fire engines, and fire apparatus and plants; incidental labor at navy yards; water tax, tolls, and ferriage; pay of watchmen in navy yards; awnings and packing boxes; pay for employees on leave, and for repairs and preservation at navy yards, fuel depots, fuel plants, and stations, \$7,500,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, messenger, and other classified work in the navy yards and naval stations, except similar expenditures in the Bureau of Yards and Docks, for the fiscal year ending June 30, 1922, shall not exceed \$1,300,000: *Provided further*, That no part of any appropriation contained in this Act shall be used for the purchase of passenger-carrying automobiles: *Provided further*, That expenditures from appropriations contained in this Act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of operators, shall not exceed \$175,000, exclusive of such vehicles owned and operated by the Marine Corps in connection with expeditionary duty without the continental limits of the United States: *Provided further*, That during the fiscal year ending June 30, 1922, operators of motor vehicles who were carried on the rolls of other bureaus prior to July 1, 1920, shall be continued to be so carried where their employment shall be found necessary.

CONTINGENT, BUREAU OF YARDS AND DOCKS: For contingent expenses and minor extensions and improvements of public works at navy yards and stations, \$150,000.

#### PUBLIC WORKS, BUREAU OF YARDS AND DOCKS.

NAVY YARD, NEW YORK, NEW YORK: Toilet facilities at shipbuilding slips, \$40,000; dredging, to continue, \$100,000; in all, \$140,000.

The expenditure of the appropriation of \$750,000 for water front improvements, navy yard, New York, New York, contained in the Naval Appropriation Act for the fiscal year 1919, is hereby suspended until July 1, 1922.

NAVY YARD, PHILADELPHIA, PENNSYLVANIA: Dry Dock Numbered 3, to complete, \$200,000.

NAVY YARD, NORFOLK, VIRGINIA: Water-front improvements, to continue, \$250,000.

NAVY YARD, CHARLESTON, SOUTH CAROLINA: Dredging, to continue, \$40,000.

NAVAL STATION, KEY WEST, FLORIDA: For the development and completion of a submarine base, \$800,000, no part thereof to be expended unless the Secretary of the Navy shall first ascertain that the breakwater already begun can be successfully completed and made permanent with this amount.

NAVAL STATION, GUANTANAMO, CUBA: Additional distilling facilities, \$75,000.

NAVY YARD, MARE ISLAND, CALIFORNIA: Maintenance of dikes and dredging, \$175,000; improvements to central power plant, \$150,000; in all, \$325,000.

NAVY YARD, PUGET SOUND, WASHINGTON: For grading, filling, and sea-wall construction, \$250,000; keel blocks for Dry Dock Numbered 2, \$6,500; extension of building numbered 178, \$13,500; roadways and sidewalks, \$25,000; pier five, rebuilding and extending, \$715,000; telephone improvements, \$10,000; pattern shop extension, \$90,000; fifty-ton dry-dock crane, \$200,000; additional storage facilities, \$95,000; in all, \$1,405,000.

*Provides.*  
Clerical, etc., services.

Purchase of passenger automobiles for bidden.

Allowance for operating motor passenger vehicles, limited.

Marine Corps, outside continental limits.

Operators for other bureaus continued.

Contingent.

Public works.

New York, N. Y.

Water front improvements suspended.  
Vol. 40, p. 923.

Philadelphia, Pa.

Norfolk, Va.

Charleston, S. C.

Key West, Fla.  
Restriction.

Guantanamo, Cuba.

Mare Island, Calif.

Puget Sound, Wash.

Pearl Harbor, Hawaii. NAVAL STATION, PEARL HARBOR, HAWAII: Addition to machine shop, \$200,000; electric-system extensions, \$85,000; water-front development, \$450,000; improvements to coaling plant, \$75,000; compressed-air system extension, \$15,000; additional storage facilities, \$200,000; in all, \$1,025,000.

Ammunition depots. Puget Sound, Wash. NAVAL AMMUNITION DEPOT, PUGET SOUND, WASHINGTON: Extension, building numbered seven, one hundred and fifty feet, \$25,000.

Mare Island, Calif. NAVAL AMMUNITION DEPOT, MARE ISLAND, CALIFORNIA: Addition to magazine and shell house, \$100,000.

Pearl Harbor, Hawaii. NAVAL AMMUNITION DEPOT, PEARL HARBOR, HAWAII: For additional storage facilities, \$177,000.

Fuel depots. DEPOTS FOR COAL: For depots for coal and other fuel: Contingent, \$50,000; care and custody of naval petroleum reserves, \$10,000; in all, \$60,000.

Hampton Roads, Va. NAVAL OPERATING BASE, HAMPTON ROADS, VIRGINIA: Motor generator set, \$20,000.

San Diego, Calif. Marine Barracks. MARINE BARRACKS, SAN DIEGO, CALIFORNIA: Toward the further development of the Marine Corps base, \$500,000.

Naval base. NAVAL BASE, SAN DIEGO, CALIFORNIA: Storehouse at foot of Broadway, to complete, \$200,000.

Naval hospital. Construction, etc. NAVAL HOSPITAL, SAN DIEGO, CALIFORNIA: The Secretary of the Navy is hereby authorized and directed to continue and to enlarge the construction of the naval hospital being erected at San Diego, California, on land donated to the United States and accepted by the Secretary of the Navy under the authority conveyed in the Naval Act of July 11, 1919, at a total cost not to exceed \$1,975,000, and \$500,000 is hereby appropriated to continue its construction.

Vol. 41, p. 145. Submarine base, Coco Solo, Canal Zone. Submarine base, Coco Solo, Canal Zone: Grading and drainage, \$40,000.

Pearl Harbor, Hawaii. Submarine base, Pearl Harbor, Hawaii: Additional piers, \$100,000; battery-charging installation, \$50,000; in all, \$150,000.

Training station, San Diego, Calif. TRAINING STATION, SAN DIEGO, CALIFORNIA: To complete the development of a permanent training station, San Diego, California, \$1,000,000.

Amounts available until expended. Total public works, \$7,032,000, and the amounts herein appropriated therefor shall be available until expended.

Bureau of Medicine and Surgery.

#### BUREAU OF MEDICINE AND SURGERY.

Surgeons' necessities. MEDICAL DEPARTMENT: For surgeon's necessities for vessels in commission, navy yards, naval stations, and Marine Corps; and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical School and Dispensary, Washington, and Naval Academy, \$2,920,000: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical service in naval hospitals, dispensaries, medical supply depots, and Naval Medical School, for the fiscal year ending June 30, 1922, shall not exceed \$150,000.

Civil establishment. CONTINGENT, BUREAU OF MEDICINE AND SURGERY: For tolls and ferriages; care, transportation, and burial of the dead, including officers who die within the United States, and supernumerary patients who die in naval hospitals; purchase of cemetery lots; purchase of books and stationery, binding of medical records, unbound books, and pamphlets; hygienic and sanitary investigation and illustration; sanitary, hygienic, and special instruction, including the printing and issuing of naval medical bulletins and supplements; purchase and repairs of nonpassenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of two passenger-carrying motor vehicles for naval dispensary, Washington, District of Columbia, and of one motor-propelled vehicle for official use only for the medical officer on

*Provided*. Clerical, etc., services.

Contingent.

Vehicles, etc.

out-patient medical service at the Naval Academy, and a motor omnibus for the transportation of convalescent patients and attendants at the Naval Hospital at Las Animas, Colorado, to be used only for official purposes; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical School and naval dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical School and naval dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the United States Naval Medical School and naval medical supply depots; rent of rooms for naval dispensary, Washington, District of Columbia, not to exceed \$1,200; for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to the Government Hospital for the Insane; for dental outfits and dental material, and all other necessary contingent expenses; in all, \$500,000.

**CARE OF HOSPITAL PATIENTS:** For the care, maintenance, and treatment of patients, including supernumeraries, in naval and other than naval hospitals, \$100,000.

#### BUREAU OF SUPPLIES AND ACCOUNTS.

**PAY OF THE NAVY:** Pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, \$37,023,859: *Provided*, That hereafter each new midshipman shall, upon admission to the Naval Academy, be credited with the sum of \$250 to cover the cost of his initial clothing and equipment issue, to be deducted subsequently from his pay: *Provided further*, That the foregoing proviso shall apply to midshipmen who entered the Naval Academy during the period between June 20, 1921, and the date of the approval of this Act; officers on the retired list, \$3,113,771; commutation of quarters for officers, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, \$4,254,192, and also members of Nurse Corps (female), \$1,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$25,000; pay of enlisted men on the retired list, \$620,250; extra pay to men reenlisting under honorable discharge, \$4,390,800; interest on deposit by men, \$10,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, and pay of enlisted men of the Hospital Corps, \$77,034,687; pay of enlisted men undergoing sentence of court-martial, \$655,000; and as many machinists as the President may from time to time deem necessary to appoint; and apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, \$2,294,136; pay of the Nurse Corps, \$688,608; rent of quarters for members of the Nurse Corps, \$29,000; retainer pay and active-service pay of members of the Naval Reserve Force, \$7,000,000; payment of \$60 discharge gratuity, \$465,000; reimbursement for losses of property under Act of October

Insane on Pacific coast.

Dental outfits.

Hospital patients. Care, etc.

Bureau of Supplies and Accounts.

Pay of the Navy. Officers, etc.

*Proviso.* Midshipmen to be credited with initial issue of clothing, etc.

Applicable to entrants since June 20, 1921.

Commutation of quarters.

Hire of quarters.

Enlisted men, pay, etc.

Naval Reserve Force.

Property losses, etc. Vol. 40, p. 389.

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| Accounting, etc.  | 6, 1917, \$10,000; payment of six months' death gratuity, \$200,000; in all, \$137,815,303; and the money herein specifically appropriated for "Pay of the Navy," shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund: <i>Provided</i> , That retainer pay provided by existing law shall not be paid to any member of the Naval Reserve Force who fails to train as provided by law during the year for which he fails to train.  |
| <i>Proviso.</i><br>Retainer pay restriction, Naval Reserve Force.   |  |
| Provisions.<br>Commutated rations, etc.                             | PROVISIONS, NAVY: For provisions and commuted rations for the seamen and marines, which commuted rations may be paid to caterers of messes in case of death or desertion upon orders of the commanding officers, commuted rations for officers on sea duty (other than commissioned officers of the line, Medical and Supply Corps, chaplains, chief boatswains, chief gunners, chief carpenters, chief machinists, chief pay clerks, and chief sailmakers) and midshipmen, and commuted rations stopped on account of sick in hospital and credited to the naval hospital fund; subsistence of officers and men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); subsistence of men on detached duty; subsistence of officers and men of the naval auxiliary service; subsistence of members of the Naval Reserve Force during period of active service; expenses in handling provisions and for subsistence of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement: <i>Provided</i> , That the Secretary of the Navy is authorized to commute rations for such general courts-martial prisoners in such amounts as seem to him proper, which may vary in accordance with the location of the naval prison, but which shall in no case exceed 30 cents per diem for each ration so commuted; and for the purchase of United States Army emergency rations as required; in all, \$21,925,922.50, to be available until the close of the fiscal year ending June 30, 1923.                              |
| <i>Proviso.</i><br>Commutated rations to prisoners.                 |  |
| Army emergency rations.   |  |
| Maintenance.  | MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS: For fuel; the removal and transportation of ashes and garbage from ships of war; books, blanks, and stationery, including stationery for commanding and navigating officers of ships, chaplains on shore and afloat, and for the use of courts-martial on board ships; purchase, repair, and exchange of typewriters for ships; packing boxes and materials; interior fittings for general storehouses, pay offices, and accounting offices in navy yards; expenses of disbursing officers; coffee mills and repair thereto; expenses of naval clothing factory and machinery for the same; laboratory equipment; purchase of articles of equipage at home and abroad under the cognizance of the Bureau of Supplies and Accounts, and for the payment of labor in equipping vessels therewith, and the manufacture of such articles in the several navy yards; musical instruments and music; mess outfits; soap on board naval vessels; athletic outfits; tolls, ferriages, yeomen's stores, safes, and other incidental expenses; labor in general storehouses, paymasters' offices, and accounting offices in navy yards and naval stations, including naval stations maintained in island possessions under the control of the United States, and expenses in handling stores purchased and manufactured under "General account of advances," and the accounting officers of the Treasury are authorized and directed to credit "General account of advances" with the amount of the net losses which may be certified by the Paymaster General of the Navy as having been incurred in disposing of excess stocks in the naval supply account; and reimbursement to appropriations for the Department of Agriculture of cost of inspection of |
| <i>Proviso.</i><br>Credit for losses in disposing of excess stocks. |  |
| Equipment supplies.   |  |
| Meat inspection.  |  |

meats and meat-food products for the Navy Department: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for chemists and for clerical, inspection, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year ending June 30, 1922, shall not exceed \$3,500,000; in all, \$9,000,000.

*Process. Chemical, etc., services.*

The clothing and small-stores fund shall be charged with the value of all issues of clothing and small stores made to enlisted men and apprentice seamen required as outfits on first enlistment, not to exceed \$100 each, and for civilian clothing not to exceed \$15 per man to men given discharge for bad conduct, for undesirability, or inaptitude, and the uniform gratuity paid to officers of the Naval Reserve Force.

*Clothing and small stores fund. Outfits on first enlistment, etc., charged thereto.*

*Uniform gratuity.*

**FREIGHT, BUREAU OF SUPPLIES AND ACCOUNTS:** All freight and express charges pertaining to the Navy Department and its bureaus, except the transportation of coal for the Bureau of Supplies and Accounts, \$4,000,000.

*Freight, Department and bureaus.*

**FUEL AND TRANSPORTATION:** Coal and other fuel for steamers' and ships' use, including expenses of transportation; storage, and handling the same; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, \$17,500,000: *Provided*, That \$1,000,000 of this appropriation shall be available for use, in the discretion of the Secretary of the Navy, in mining coal or contracting for the same in Alaska, the transportation of the same and the construction of coal bunkers and the necessary docks for use in supplying ships therewith; and the Secretary of the Navy is hereby authorized to select from the public coal lands in Alaska such areas as may be necessary for use by him for the purposes stated herein.

*Fuel, transportation, etc.*

*Process. Mining coal in Alaska.*

*Section of coal areas. Vol. 41, p. 1797.*

#### BUREAU OF CONSTRUCTION AND REPAIR.

*Bureau of Construction and Repair.*

*Construction and repair of vessels.*

**CONSTRUCTION AND REPAIR OF VESSELS:** For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steerers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care and protection of the Navy in the line of construction and repair; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, professional magazines, plans, stationery, and instruments for drafting room, and for pay of classified force under the bureau; for hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, and lamps and their appendages for general use on board ship for illuminating purposes; and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; for all permanent galley fittings and equipage; rugs, carpets, curtains, and hangings on board naval

*Equipment supplies.*



*Provided,*  
Preservation of brig  
"Niagara."

Clerical, etc., serv-  
ices.

Bureau of Engineer-  
ing.

Engineering repairs,  
machinery, etc.

Coast signal service,  
radio stations.

Equipment supplies.

*Provided,*  
Clerical, etc., serv-  
ices.

Engineering experi-  
ment station.  
Experimental work,  
etc.

Naval Academy.

Pay of professors, etc.

Instructors, etc.

vessels, \$22,500,000: *Provided*, That the amount of money to be expended from the appropriation "Construction and repair of vessels," for the restoration, preservation, and maintenance of the naval brig Niagara in the city of Erie, Pennsylvania, including the construction of suitable facilities for anchoring said vessel and properly preserving it for historical purposes shall not exceed \$10,000: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, watchmen (ship keepers), and messenger service in navy yards, naval stations, and offices of superintending naval constructors for the fiscal year ending June 30, 1922, shall not exceed \$3,450,000.

#### BUREAU OF ENGINEERING.

**ENGINEERING:** For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service, including not to exceed \$2,500 for the purchase of land necessary for radio shore stations; equipage, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, pay of classified force under the bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work in radiotelegraphy at the naval radio laboratory: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, and messenger service in navy yards, naval stations, and offices of United States inspectors of machinery and engineering material for the fiscal year ending June 30, 1922, shall not exceed \$2,500,000; in all, engineering, \$20,500,000.

**ENGINEERING EXPERIMENT STATION, UNITED STATES NAVAL ACADEMY, ANNAPOLIS, MARYLAND:** For original investigation and extended experimentation of naval appliances, testing implements and apparatus; purchase and installation of such machines and auxiliaries considered applicable for test and use in the naval service, and for maintenance and equipment of buildings and grounds, \$225,000.

#### NAVAL ACADEMY.

**PAY, NAVAL ACADEMY:** Pay of professors and others, Naval Academy: Pay of professors and instructors, including one professor as librarian, \$385,000;

One swordmaster, \$1,900; assistants—one \$1,700, one \$1,500; head master in physical training, \$2,200; instructors in physical training—one \$2,100, two at \$2,000 each, seven at \$1,900 each; assistant librarian, \$2,500; cataloguer, \$1,800; two shelf assistants, at \$1,400 each; secretary of the Naval Academy, \$3,000; clerks—two at \$2,100 each, two at \$1,900 each, two at \$1,800 each, nine at \$1,600 each, four at \$1,400 each, twenty-three at \$1,300 each, seven at \$1,200 each; repair men or seamstress, \$1,000; surveyor, \$1,700;

services of choirmaster and organist at chapel, \$1,700; captain of the watch, \$1,600; second captain of the watch, \$1,500; thirty watchmen, at \$1,400 each; five telephone switchboard operators, at \$840 each; mail messenger, \$1,200; in all, \$161,600;

In all, pay of professors and others, Naval Academy, \$546,600.

DEPARTMENT OF ORDNANCE AND GUNNERY: For leading ordnancemen, ordnancemen, ordnance helpers, electricians, and other employees, \$20,658.

Department of ordnance and gunnery.

DEPARTMENTS OF ELECTRICAL ENGINEERING AND PHYSICS: For electrical machinists, mechanics, laboratorians, and other employees, \$19,431.04.

Departments of electrical engineering and physics.

DEPARTMENT OF SEAMANSHIP: Three coxswains, at \$1,176.88 each; three seamen, at \$1,001.60 each; two seamen, at \$826.32 each; in all, \$8,188.08.

Department of seamanship.

DEPARTMENT OF MARINE ENGINEERING AND NAVAL CONSTRUCTION: For master machinists, assistants, pattern makers, boiler makers, blacksmiths, machinists, molders, coppersmiths, who shall be considered practical instructors of midshipmen, and other employees, \$55,914.32.

Department of marine engineering and naval construction.

COMMISSARY DEPARTMENT: For chief clerk and purchasing agent, chief cook and cooks, steward and assistant stewards, stenographers, typists, head waiters and assistant head waiters, head pantrymen, chief baker and bakers, butchers, truck chauffeurs, mechanics for repair of trucks, firemen, seamstresses, and necessary pantrymen, butcher's helpers, baker's helpers, waiters, coffeemen, dish pantrymen, utility men, linen men, laundrymen, scullions, and other unskilled and unclassified occupations, wages to be determined by the Superintendent of the Naval Academy, and in no case to exceed \$75 per month in case of unskilled and unclassified employees, \$238,415.99: *Provided*, That no employee paid under the provisions of this paragraph shall receive a salary in excess of \$2,000.

Commissary department.

DEPARTMENT OF BUILDINGS AND GROUNDS: One messenger to superintendent, \$1,001.60; necessary building attendants, \$145,436.80; in all, \$146,438.40.

Department of buildings and grounds.

In all, civil establishment, \$1,035,645.83.

CURRENT AND MISCELLANEOUS EXPENSES, NAVAL ACADEMY: Text and reference books for use of instructors; stationery, blank books and forms, models, maps, and periodicals; apparatus and materials for instruction in physical training and athletics; expenses of lectures and entertainments not exceeding \$1,000, including pay and expenses of lecturer; chemicals, philosophical apparatus and instruments, stores, machinery, tools, fittings, apparatus, and materials for instruction purposes, \$110,000.

Contingent expenses.

Purchase, binding, and repair of books for the library (to be purchased in the open market on the written order of the superintendent), \$2,500.

Library.

For expenses of the Board of Visitors to the Naval Academy, \$3,000.

Board of visitors.

For contingencies for the superintendent of the academy, to be expended in his discretion, \$3,000.

Superintendent.

For contingencies for the commandant of midshipmen, to be expended in his discretion, \$1,200.

Commandant.

In all, current and miscellaneous expenses, \$119,700.

MAINTENANCE AND REPAIRS, NAVAL ACADEMY: For general maintenance and repairs at the Naval Academy, namely: For necessary repairs of public buildings, wharves, and walls inclosing the grounds of the Naval Academy, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy,

General maintenance and repairs.

Horse drawn vehicles, etc.

including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor; advertising, water tax, postage, telephones, telegrams, tolls, and ferrage; flags and awnings; packing boxes; fuel for heating and lighting bandmen's quarters; pay of inspectors and draftsmen; music and astronomical instruments; and for pay of employees on leave, \$1,105,000.

Rent commutation.

Commutation of rent for bandmen, at \$15 per month each, \$13,500.  
In all, maintenance and repairs, \$1,118,500.  
In all, Naval Academy, exclusive of public works, \$2,273,845.83.

Marine Corps.

#### MARINE CORPS.

Pay.  
Officers, active and reserve.

**PAY, MARINE CORPS:** Pay of officers, active and reserve list: For pay and allowances prescribed by law for all officers on the active and reserve list, \$4,386,196.01.

Retired.

For pay of officers prescribed by law, on the retired list: For three major generals, four brigadier generals, eight colonels, six lieutenant colonels, twenty-six majors, forty-four captains, twenty-two first lieutenants, nine second lieutenants, two marine gunners, one quartermaster clerk, two pay clerks, and for officers who may be placed thereon during the year, including such increased pay as is now or may hereafter be provided for retired officers regularly assigned to active duty, \$353,761.25.

Enlisted men, active and reserve.

Pay of enlisted men, active and reserve list: Pay and allowances of noncommissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United States Marine Corps traveling under orders, and including additional compensation for enlisted men of the Marine Corps qualified as expert riflemen, sharpshooters, marksmen, or regularly detailed as gun captains, gun pointers, cooks, messmen, signalmen, or holding good-conduct medals, pins, or bars, including interest on deposits by enlisted men, post exchange debts of deserters, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men, and for prizes for excellence in gunnery exercise and target practice, and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks, both afloat and ashore, \$12,060,300.76.

Retired.

For pay and allowances prescribed by law of enlisted men on the retired list: For nineteen sergeants major, one drum major, forty gunnery sergeants, thirty-six quartermaster sergeants, fifty-four first sergeants, fifty-six sergeants, twelve corporals, five principal musicians, eighteen first-class musicians, one second-class musician, one drummer, and ten privates, and for those who may be retired during the fiscal year, \$210,822.60.

Undrawn clothing.

Undrawn clothing: For payment to discharged enlisted men for clothing undrawn, \$25,000.

Mileage, officers without troops.

Mileage: For mileage to officers traveling under orders without troops, \$150,000.

Commutation of quarters.

Commutation of quarters for enlisted men on recruiting duty, for officers and enlisted men serving with or without troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, for enlisted men employed as clerks and messengers in the offices of the commandant, adjutant and inspector, paymaster, and quartermaster, and the offices of the assistant adjutant and

inspectors, assistant paymasters, assistant quartermasters, at \$21 each per month, and for enlisted men employed as messengers in said offices, at \$10 each per month, \$711,100.

**PAY OF CIVIL FORCE:** In the office of the major general commandant: Temporary special assistant to the major general commandant, \$2,750; chief clerk, \$2,250; clerk, \$1,800; messenger, \$971.28; in all, \$7,771.28.

In the office of the paymaster: Chief clerk, \$2,250; clerk, \$1,500; in all, \$3,750.

In the office of the adjutant and inspector: Chief clerk, \$2,250; clerks—one \$1,800, one \$1,600, one \$1,500, one \$1,400, one \$1,200; in all, \$9,750.

In the office of the quartermaster: Temporary special assistant to the quartermaster, \$2,750; chief clerk, \$2,250; clerks—two at \$1,800 each, one \$1,500, two at \$1,400 each, two at \$1,200 each, technical engineer, \$2,300; draftsman, \$2,000; in all, \$19,600.

In the office of the assistant quartermaster, San Francisco, California: Chief clerk, \$2,500.

In the office of the assistant quartermaster, Philadelphia, Pennsylvania: Chief clerk, \$2,500; messenger, \$840; in all, \$3,340.

For temporary employees in offices at Marine Corps Headquarters and at Marine Corps posts, \$100,000: *Provided*, That no person shall be employed hereunder at a rate of compensation in excess of \$2,000 per annum.

In all, for pay of civil force, \$146,711.28, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law as pay of the Marine Corps, and for that purpose shall constitute one fund.

In all, pay, Marine Corps, \$18,043,891.90.

#### MAINTENANCE, QUARTERMASTER'S DEPARTMENT, MARINE CORPS.

**PROVISIONS, MARINE CORPS:** For enlisted men serving ashore; subsistence and lodging of enlisted men when traveling on duty, or cash in lieu thereof; commutation of rations to enlisted men regularly detailed as clerks and messengers; payments of board and lodging of applicants for enlistment while held under observation; recruits, recruiting parties, and enlisted men where it is impracticable to otherwise furnish subsistence, or in lieu of board, commutation of rations to recruiting parties, and enlisted men traveling on special duty, at such rates as the Secretary of the Navy may prescribe; ice machines and their maintenance where required for the health and comfort of the troops and for cold storage; ice for offices and preservation of rations, \$4,141,450.

**CLOTHING, MARINE CORPS:** For enlisted men authorized by law, \$1,125,000.

**FUEL, MARINE CORPS:** For heat, light, and commutation thereof for the authorized allowance of quarters for officers and enlisted men, and other buildings and grounds pertaining to the Marine Corps; fuel, electricity, and oil for cooking, power, and other purposes; and sales to officers, \$590,000.

**MILITARY STORES, MARINE CORPS:** Purchase and repair of military equipments, such as rifles, revolvers, cartridge boxes, bayonet scabbards, haversacks, blanket bags, canteens, rifle slings, swords, drums, trumpets, flags, waistbelts, waist plates, cartridge belts, spare parts for repairing rifles, machetes; tents, field cots, field ovens, and stoves for tents; instruments for bands; purchase of music and musical accessories, articles of field sports for enlisted men, signal equipment and stores, purchase and marking of prizes for excellence in gunnery and rifle practice; good-conduct badges; medals and buttons awarded

Civil force.

Temporary employees.  
*Proviso.*  
Pay restriction.

Disbursement and accounting.

Quartermaster's Department.

Provisions.

Clothing.

Fuel.

Sales to officers.

Military stores.

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| Ammunition.                    | to officers and enlisted men by the Government for conspicuous, gallant, and special service; incidental expenses of schools of application; equipment and maintenance of school, library, and amusement rooms and gymnasiums for enlisted men; rental and maintenance of target ranges, and entrance fees in competitions; procuring, preserving, and handling ammunition and other necessary military supplies; in all, \$500,000.   |
| Transportation and recruiting. | TRANSPORTATION AND RECRUITING, MARINE CORPS: For transportation of troops, and of applicants for enlistment between recruiting stations and recruiting depots or posts, including ferrriage and transfers en route, or cash in lieu thereof; toilet kits for issue to recruits upon their first enlistment and the expense of the recruiting service, \$750,000.   |
| Repairs to barracks, etc.      | REPAIRS OF BARRACKS, MARINE CORPS: Repairs and improvement to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, and improvement of buildings in the District of Columbia, with the approval of the Public Buildings Commission, and at such other places as the public exigencies require and the erection of temporary buildings upon the approval of the Secretary of the Navy; such temporary buildings as may be erected in pursuance hereof at a total cost not to exceed \$10,000 during the year, \$450,000.  |
| Forage.                        | FORAGE, MARINE CORPS: For forage in kind and stabling for public animals of the Quartermaster's Department and the authorized number of officers' horses, \$100,000.   |
| Contingent.                    | CONTINGENT, MARINE CORPS: For freight, expressage, tolls, cartage, advertising, washing bed linen, towels, and other articles of Government property, funeral expenses of officers and enlisted men, and retired officers on active duty during the war and retired enlisted men of the Marine Corps, including the transportation of bodies and their arms and wearing apparel from the place of demise to the homes of the deceased in the United States; stationery and other paper, printing and binding; telegraphing, rent of telephones; purchase, repair, and exchange of typewriters; apprehension of stragglers and deserters; employment of civilian labor and draftsmen; purchase, repair, and installation and maintenance of gas, electric, sewer, and water pipes and fixtures; office and barracks furniture, vacuum cleaners, camp and garrison equipage and implements; mess utensils for enlisted men and for properly constituted officers' messes; packing boxes, wrapping paper, oilcloth, crash, rope, twine, quarantine fees, camphor and carbonized paper, carpenters' tools, tools for police purposes, safes; purchase, hire, repair, and maintenance of such harness, wagons, motor wagons, armored automobiles, carts, drays, motor-propelled and horse-drawn passenger-carrying vehicles, to be used only for official purposes, and other vehicles as are required for the transportation of troops and supplies and for official military and garrison purposes; purchase of public horses and mules; services of veterinary surgeons, and medicines for public animals, and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; purchase and repair of hose, fire extinguishers, carts, wheelbarrows, and lawn mowers; purchase, installation, and repair of cooking and heating stoves and furnaces; purchase of towels, soap, combs, and brushes for offices; postage stamps for foreign and registered postage; books, newspapers, and periodicals; improving parade grounds; repairs of pumps and wharves, water; straw for bedding, mattresses; mattress covers, pillows, sheets, furniture for Government quarters and repair of same; packing and crating officers' allowance of baggage on change of station, |
| Vehicles, etc.                 |  |

deodorizing, lubricants, disinfectants; for the construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses arising at home and abroad, but impossible to anticipate or classify, \$2,000,000.

Laundries.

In all, for the maintenance of Quartermaster's Department, Marine Corps, \$9,656,450; and the money herein specifically appropriated for the maintenance of the Quartermaster's Department, Marine Corps, shall be disbursed and accounted for in accordance with the existing law as maintenance, Quartermaster's Department, Marine Corps, and for that purpose shall constitute one fund.

Disbursement and accounting.

Total, Marine Corps, exclusive of public works, \$27,700,341.90.

INCREASE OF THE NAVY, CONSTRUCTION AND MACHINERY: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized, to be available until expended, \$53,000,000.

Increase of the Navy. Construction and machinery.

INCREASE OF THE NAVY, TORPEDO BOATS: On account of submarine torpedo boats heretofore authorized, to be available until expended, \$4,000,000.

Submarine torpedo boats.

INCREASE OF THE NAVY, ARMOR AND ARMAMENT: Toward the armor and armament for vessels heretofore authorized, to be available until expended, \$33,000,000.

Armor and armament.

Total increase of the Navy heretofore authorized, \$90,000,000: *Provided*, That no part of this appropriation can be expended except on vessels now being constructed.

*Provided*. Limited to vessels being constructed.

That no part of any sum appropriated by this Act shall be used for any expense of the Navy Department at Washington, District of Columbia, unless specific authority is given by law for such expenditure.

Use for Department expenses restricted.

That no part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and that no part of the moneys appropriated in each or any section of this Act shall be used or expended for the purchase or acquirement of any article or articles that, at the time of the proposed acquirement, can be manufactured or produced in each or any of the Government navy yards of the United States, when time and facilities permit, for a sum less than it can be purchased or acquired otherwise.

No pay to officers, etc., using time measuring devices on work of employees.

Cash rewards, etc., restricted.

Purchase of articles which can be made at navy yards, restricted.

SEC. 2. That hereafter no enlisted man in the Navy shall be paid on reenlistment an honorable discharge gratuity, or any proportionate part thereof, in excess of any amount equal to one month's pay for each year of service in the last expiring enlistment of such enlisted man.

Reenlistment gratuities limited. Vol. 40, p. 141.

SEC. 3. That appropriations herein and hereafter made under the Bureau of Yards and Docks for public works, exclusive of repairs and preservation, shall remain available until expended.

Amounts for public works at yards, etc., available until expended.

SEC. 4. That during the fiscal year 1922 the ration for officers and enlisted men of the Navy entitled thereto shall be commuted at the rate of 50 cents per diem; and the commuted value of the ration for midshipmen shall be \$1.08 per diem; and commuted rations stopped on account of sick in hospital shall be credited at the rate of 75 cents per ration to the naval hospital fund.

Commuted rations. Rates established for 1922.

SEC. 5. That as consideration for a suitable site and requisite rights, privileges, and easements for a receiving and distant-control

Porto Rico. Exchange, etc., of lands for radio station.

*Proviso.*  
Use retained for time  
of war.

Naval Reserve Force.  
Vol. 41, p. 834, amend-  
ed.

Officers of, and tem-  
porary Navy officers,  
disabled in time of war,  
entitled to retirement.

*Proviso.*  
Time for applica-  
tions limited.

Solicitor for Navy  
Department.  
Vol. 41, p. 1283,  
amended.

Temporary employ-  
ees.  
*Proviso.*  
Pay restriction mod-  
ified.

Bureau of Aeronau-  
tics.  
Created in Navy De-  
partment under the  
Secretary.  
Duties.

Chief of Bureau.  
Appointment, rank,  
etc.

Assistant Chief.  
Detail from Navy or  
Marine Corps for.  
Duties, etc.

R. S., sec. 179, p. 28.

Chief clerk.

Personnel, supplies,  
etc., for, to be trans-  
ferred from other bu-  
reaus.

Moneys available.

radio station in Porto Rico the Secretary of the Navy be, and he hereby is, authorized to exchange or lease for such period as he may deem proper any land under naval control in Porto Rico not otherwise required for naval purposes: *Provided*, That in time of war or national emergency, if necessary, the Navy Department shall have without cost free and unlimited use of any land so exchanged or leased.

SEC. 6. That the last paragraph of section 2 of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920, is hereby amended to read as follows:

"That all officers of the Naval Reserve Force and temporary officers of the Navy who have heretofore incurred or may hereafter incur physical disability in line of duty in time of war shall be eligible for retirement under the same conditions as now provided by law for officers of the Regular Navy who have incurred physical disability in line of duty: *Provided, however*, That application for such retirement shall be filed with the Secretary of the Navy not later than October 1, 1921."

SEC. 7. That the paragraph in the Act approved March 3, 1921, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, providing for temporary employees in the office of the Solicitor for the Navy Department, is hereby amended to read as follows:

"For temporary employees in the office of the Solicitor for the Navy Department, \$20,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: One at \$3,000, one at \$2,400, one at \$2,250."

SEC. 8. That there is hereby created and established in the Department of the Navy a Bureau of Aeronautics, which shall be charged with matters pertaining to naval aeronautics as may be prescribed by the Secretary of the Navy, and all of the duties of said bureau shall be performed under the authority of the Secretary of the Navy, and its orders shall be considered as emanating from him, and shall have full force and effect as such.

There shall be a Chief of the Bureau of Aeronautics, appointed by the President, by and with the advice and consent of the Senate, from among the officers of the active list of the Navy or Marine Corps who shall within one year after his appointment qualify as an aircraft pilot or observer, for a period of four years, and who shall, while holding such position, have the corresponding rank and receive the same pay and allowances as are now or may hereafter be prescribed by or in pursuance of law for chiefs of bureaus of the Department of the Navy.

An officer of the active list of the Navy, or Marine Corps, may be detailed as Assistant Chief of the Bureau of Aeronautics, and such officer shall receive the highest pay of his grade, and, in case of the death, resignation, absence, or sickness of the chief of the bureau shall, until otherwise directed by the President, as provided by section 179 of the Revised Statutes, perform the duties of such chief until his successor is appointed or such absence or sickness shall cease.

There shall be a chief clerk at a salary of \$2,250 per annum.

The Secretary of the Navy is authorized to transfer to the Bureau of Aeronautics such number of the civilian, technical, clerical, and messenger personnel, together with such records, equipment, and facilities now assigned for aeronautic work under the various bureaus of the Department of the Navy or Marine Corps as in his judgment may be necessary. The unexpended and unobligated portion of all moneys heretofore appropriated for any bureau of the Department

of the Navy or Marine Corps used in connection with aeronautics, including the appropriation "Aviation, Navy," is hereby made available for the use of the Bureau of Aeronautics.

The number of officers and enlisted men of the Navy and Marine Corps detailed to duty in aircraft and involving actual flying and to duties in connection with aircraft shall hereafter be in accordance with the requirements of Naval Aviation as determined by the Secretary of the Navy: *Provided*, That not to exceed 30 per centum of the officers in each grade below that of rear admiral who fail to qualify as aircraft pilots or as aircraft observers within one year after the date of their detail into the Bureau of Aeronautics shall be permitted to remain detailed in this bureau: *Provided further*, That flying units or detachments, with the exception of aircraft carriers or other vessels, shall in all cases be commanded by flying officers.

SEC. 9. That the President is authorized and requested to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval expenditures and building programs of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which understanding or agreement is to be reported to the respective Governments for approval.

Approved, July 12, 1921.

*Acts*, p. 123.

Details for aircraft duty from Navy and Marine Corps.

*Provisos.*  
Percentage of officers falling as pilots or observers to remain detailed.

Command of flying units, etc.

Naval expenditures, etc.

President to request Great Britain and Japan to a conference for mutual reduction of, for five years.  
*Post*, p. 192.

Report to respective Governments.

**CHAP. 45.**—An Act To provide for the retention by the Government of the property in Seward, Alaska, known as the Alaska Northern Railway office building, and its use for court purposes.

July 12, 1921.

[H. R. 5322.]

[Public, No. 36.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the property commonly known as the Alaska Northern Railway office building, being situated on lots sixteen to twenty, inclusive, in block sixteen, of the town of Seward, Alaska, which was acquired by the United States under the provisions of the Act of March 12, 1914, entitled "An Act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," shall not be sold under the provisions of the Act of July 1, 1916, entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes," or other like Acts, but shall be retained by the United States for use by the officials of the United States district court and the Department of Justice.

The Secretary of the Interior is authorized to transfer the custody of said building to the Attorney General for use as above indicated.

All laws or parts of laws to the extent they are in conflict with the provisions of this Act are repealed.

Approved, July 12, 1921.

Seward, Alaska.  
Railway office building at, to be retained for district court uses.  
Vol. 38, p. 305.

Vol. 39, p. 306; Vol. 41, p. 1405.

Transfer to Attorney General.

Conflicting laws repealed.

**CHAP. 46.**—An Act Granting the consent of Congress to the Trumbull Steel Company, its successors and assigns, to construct, maintain, and operate a dam across the Mahoning River in the State of Ohio.

July 15, 1921.

[H. R. 4976.]

[Public, No. 37.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to the Trumbull Steel Company and its successors and assigns, to construct, maintain, and operate at a point suitable to the interest of navigation a dam across the Mahoning River near

Mahoning River.  
Trumbull Steel Company may dam, near Warren, Ohio.



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|--|--|
| <i>Provides.</i><br>Approval of plans.             | the city of Warren, in the county of Trumbull, in the State of Ohio: <i>Provided</i> , That the work shall not be commenced until the plans therefor have been filed with and approved by the Chief of Engineers, United States Army, and by the Secretary of War: <i>Provided further</i> , That this Act shall not be construed to authorize the use of such dam to develop water power or generate electricity: <i>And provided further</i> , That the authority hereby granted shall cease and be null and void unless the actual construction of the dam herein authorized be commenced within one year and completed within three years from the date of the passage of this Act: <i>And provided further</i> , That the consent hereby given shall terminate and be at an end from and after thirty days' notice from the Federal Power Commission, or other authorized agency of the United States, to said company or its successors, that desirable water-power development will be interfered with by the existence of said dam; and any grantee or licensee of the United States proposing to develop a power project at or near said dam shall have authority to remove, submerge, or utilize said dam under such conditions as said commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam if the water level to be maintained in said power project is higher than the level of the crest of said dam. |
| Use for power, etc., forbidden.                    |  |
| Construction and completion.                       |  |
| Termination if interfering with power development. |  |
| Removal, etc., by power licensee.                  |  |
| Amendment.   | SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.<br>Approved, July 15, 1921.   |

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| July 15, 1921.<br>[H. R. 5822.]<br>[Public, No. 33.]                              | CHAP. 47.—An Act Providing for the appraisal and sale of the Vashon Island Military Reservation in the State of Washington, and for other purposes.  |
| Vashon Island, Wash.<br>Survey, etc., directed of abandoned military reservation. | <i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled</i> , That the Secretary of the Interior shall cause the land in the Vashon Island abandoned military reservation in sections one, two, and three, all in township twenty-one north, range two east, Willamette meridian, in the county of King, in the State of Washington, to be surveyed and subdivided into tracts and lots to conform as far as practicable to the tracts and lots lawfully occupied by the tenants thereon as lessees or sublessees on May 1, 1920.  |
| Occupants under former lease may purchase a surveyed tract at appraised value.    | SEC. 2. That after said survey and the approval thereof by the Commissioner of the General Land Office the plat thereof shall be filed in the office of the register and receiver in the manner provided by law, and thereafter any person who as lessee or sublessee was in actual occupation of any portion of the lands described in section 1 hereof on the 1st day of May, 1920, who made actual settlement thereon in good faith under the terms of a certain lease held of the War Department by one James Bachelor, or a sublease thereunder, or anyone who has since said date succeeded to the occupation and interest of any such prior settler, his heirs or assigns, shall be entitled to purchase for the appraised value one of such surveyed tracts so occupied, no right of purchase to exceed the tract actually occupied and improved by a lawful lessee or sublessee on May 1, 1920, and in no case exceeding twenty acres in a body, according to Government surveys and subdivisions thereof, upon the payment to the Government of a sum of money equal to the appraised value thereof, such appraisement to be made as provided by law: <i>Provided</i> , That in making such appraisement the appraisers shall not include the improvements thereon made by the occupants of such lands: <i>Provided further</i> , That payment to the Government may be made in one sum, or not less than one-tenth cash and the balance in nine or less number of |
| Limitation.   |  |
| <i>Provides.</i><br>Appraisal restriction.  |  |
| Installment payments allowed.   | pay-   |

equal annual installments, with interest at 5 per centum per annum, payable annually, as the purchaser may elect, and with the option in the purchaser, his heirs and assigns, to pay the remaining installments on any date when installment becomes due.

SEC. 3. That if any tract of the lands described in section 1 hereof be not purchased by the lessee or sublessee, his heirs or assigns, as provided in section 2 of this Act, within ninety days after the same becomes subject to purchase under the provisions of this Act, then and in that event the Secretary of the Interior is hereby authorized to dispose of the remaining lands under the provisions of the Act of Congress of July 5, 1884, entitled "An Act to provide for the disposal of abandoned and useless military reservations," and the said lessees, sublessees, heirs or assigns, who do not purchase such tracts shall have the privilege within a period to be fixed by the Secretary of removing from their tracts any buildings placed thereon, and the Secretary of the Interior is authorized to reappraise any unsold tracts from time to time before offering the same for sale under said Act of July 5, 1884.

SEC. 4. That the Secretary of the Interior in making the survey provided for by this Act shall ascertain what part of said lands, if any, are needed for lighthouse or roadway purposes, and any lands needed for such purposes shall be segregated or reserved for such use, and the lands so segregated or reserved shall not be subject to disposal hereunder.

Approved, July 15, 1921.

Tracts not purchased to be sold at public sale.

Vol. 23, p. 103.  
Removal of buildings by lessees, etc.

Reservations for lighthouse or roadway uses.

CHAP. 48.—An Act Granting certain public lands to the city of Phoenix, Arizona, for municipal purposes.

July 15, 1921.  
[H. R. 2421.]  
[Public, No. 80.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the south half of the northwest quarter and the north half of the southwest quarter of section twenty-three, township one north, range two east, Gila and Salt River meridian, Arizona, be, and the same is hereby, granted to the city of Phoenix, Arizona, for municipal purposes, upon condition that the said city shall make payment for such land at the rate of \$1.25 per acre to the receiver of the United States land office at Phoenix, Arizona, within sixty days after the approval of this Act: *Provided*, That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the land, and the right to prospect for, mine, and remove the same: *Provided further*, That the grant herein is made subject to any valid existing easements on said land and upon the express condition that within thirty days of the receipt of any request therefor from the Secretary of the Interior the mayor of said city shall submit to the Secretary of the Interior a report as to the use of the land herein granted during the period named in such request, and that in the event of his failure to so report, or if it is shown in such a report or if the Secretary shall otherwise determine that the terms of this grant have not been complied with, the grant shall be held forfeited, and the Attorney General of the United States shall institute suit in the proper court for the recovery of said lands.

Public lands.  
Granted Phoenix, Ariz., for municipal purposes.

Payment.

Proviso.  
Mineral, etc., deposits reserved.

Report of use of grant.

Forfeiture on non-compliance with terms.

Approved, July 15, 1921.

CHAP. 49.—An Act To authorize the construction of a dam across Wabash River at Huntington, Indiana.

July 18, 1921.  
[H. R. 6814.]  
[Public, No. 40.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress

Wabash River.

Huntington, Ind.,  
may dam, for water  
supply.

*Proviso.*  
Use for power, etc.,  
forbidden.  
Termination if inter-  
fering with power de-  
velopment.

Removal, etc., by  
licensee.

Commencement and  
completion.

Amendment.

is hereby given to the construction by the city of Huntington, Indiana, of a dam for water supply purposes across Wabash River, at such location and in accordance with such plans as may be approved by the Chief of Engineers and the Secretary of War: *Provided*, That this Act shall not be construed to authorize the use of such dam to develop water power or generate electricity: *Provided further*, That the consent hereby given shall terminate and be at an end from and after thirty days' notice from the Federal Power Commission, or other authorized agency of the United States, to said city that desirable water-power development will be interfered with by the existence of said dam; and any grantee or licensee of the United States proposing to develop a power project at or near said dam shall have authority to remove, submerge, or utilize said dam under such conditions as said commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam if the water level to be maintained in said power project is higher than the level of the crest of said dam: *And provided further*, That this Act shall be null and void unless the dam hereby authorized is commenced within one year and completed within three years from the date hereof.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 18, 1921.

July 21, 1921.  
[H. R. 6573.]  
[Public, No. 41.]

CHAP. 50.—An Act To further reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, and for other purposes.

Postal service.  
Pay of fourth class  
postmasters modified.  
Vol. 41, p. 1046,  
amended.

Special clerks.  
Authorized for meri-  
torious services.

Designated fifth  
class employees to be-  
come special clerks.  
Vol. 41, p. 1049.

*Proviso.*  
Demotion allowed  
only for cause.

Credit allowed clerks  
and carriers for sub-  
stitute service.

Foremen.  
Minimum pay.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after July 1, 1921, postmasters of the fourth class shall be paid the same compensation as now provided by law, except that they shall receive 145 per centum of the cancellations of the first \$75 or less per quarter, 70 per centum of the next \$100 or less per quarter, and on the balance 60 per centum.

SEC. 2. That as a reward for faithful and meritorious service special clerks may be appointed in the executive, finance, money order, postal savings, registry, mailing, and other divisions of first-class post offices. Clerks in the executive, finance, money order, postal savings, registry, and other divisions of first-class post offices who were designated as special clerks, finance clerks, cashiers, foremen, bookkeepers, chief stamp clerks, chief mailing clerks, and stenographers on June 30, 1920, and who were, on and after July 1, 1920, assigned as clerks of grade five shall, from and after the passage of this Act, unless they were demoted for cause, be given the designation and status of special clerks, and assigned to the first or second grade: *Provided*, That clerks who have been designated as special clerks shall not be demoted except for cause.

SEC. 3. That clerks and carriers in the intermediate or automatic grades who were appointed to regular positions before June 5, 1920, and are receiving less than the maximum grade of salary, shall receive credit for all time served as substitute on a basis of one year for each three hundred and six days of eight hours served as substitute, and be promoted to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade one.

SEC. 4. That, effective July 1, 1921, the minimum salary of foreman in first-class offices shall be \$2,100 per annum.

SEC. 5. That, effective July 1, 1921, the minimum salary of assistant superintendents of mails in post offices with receipts of \$1,000,000, but less than \$2,000,000, shall be \$2,300 per annum.

SEC. 6. That, effective July 1, 1921, the salary of assistant postmasters at offices of the second class, where the gross postal receipts are \$8,000, but less than \$12,000, shall be \$1,850 per annum.

SEC. 7. That the Postmaster General is hereby authorized to pay to the clerks and laborers in first and second class post offices and letter carriers in the City Delivery Service the amount due them as overtime in lieu of compensatory time for work performed by them on Sundays intervening between June 5 and July 1, 1920.

SEC. 8. That the Postmaster General be, and he is hereby, authorized to pay to persons who have been retired under the Act of Congress entitled "An Act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and who have since their retirement been employed in the Postal Service, the sums to which they are entitled for services heretofore rendered.

SEC. 9. That the paragraph in the Act of Congress entitled "An Act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," approved June 5, 1920 (page 1053, Statutes at Large, second session, Sixty-sixth Congress), which reads as follows: "On and after July 1, 1921, no supervisory official or employee in the Postal Service shall be promoted more than \$300 during any one year, except when appointed postmaster, inspector in charge, or superintendent of the Railway Mail Service," be, and the same is hereby, repealed.

SEC. 10. That the Postmaster General be, and he hereby is, authorized to appoint two delegates to the Pan-American Postal Congress, Buenos Aires, Argentina, beginning August 10, 1921, and for the purpose of paying the expenses of such delegates the sum of \$5,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended in the discretion of the Postmaster General and to be accounted for on his certificate, which certificate shall be conclusive on the accounting officers of the United States.

Approved, July 21, 1921.

CHAP. 51.—An Act To amend an Act entitled "An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for these islands," approved August 29, 1916; and to amend an Act entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," approved March 2, 1903.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for these islands," approved August 29, 1916, be amended, as follows:

That the proviso of section 11 of said Act be, and the same is hereby, amended to read as follows: "*Provided, however,* That the entire indebtedness of the Philippine government created by the authority conferred herein shall not exceed at any one time the sum of \$30,000,000, exclusive of those obligations known as friar land bonds, nor that of any Province or municipality, a sum in excess of 7 per centum of the aggregate tax valuation of its property at any one time. In computing the indebtedness of the Philippine government, bonds not to exceed \$10,000,000 in amount, issued by that govern-

Assistant superintendents of mails.  
Minimum pay.  
Vol. 41, p. 1048, amended.

Assistant postmasters, second class offices.

Minimum pay.  
Vol. 41, p. 1047, amended.

Clerks and carriers.  
Overtime pay June 5 to July 1, 1920.

Retired civil service employees now in Postal Service.  
Former service pay to.  
Vol. 41, p. 614.

Restriction on promotions of supervisory officials repealed.  
Vol. 41, p. 1053, repealed.

Pan-American Postal Congress.  
Delegates authorized to.

Appropriation for expenses.

July 21, 1921.  
[H. R. 5766.]  
[Public, No. 42.]

Philippine Islands Government.

Bonds authorized.  
Allowed indebtedness increased.  
Vol. 39, p. 548, amended.

Secured by Provinces not counted.

Silver certificates.  
Further issues al-  
lowed.  
Vol. 32, p. 964, amend-  
ed.

Philippine legisla-  
tive act applicable.

ment, secured by an equivalent amount of bonds issued by the Provinces or municipalities thereof, shall not be counted."

That for the purpose set forth in section 6 of the Act approved March 2, 1903, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," the government of the Philippine Islands may issue temporary certificates of indebtedness under the conditions therein provided, in addition to the amount therein fixed, to a further amount not exceeding \$10,000,000.

The act of the Philippine Legislature providing for the issue of temporary certificates of indebtedness within the conditions of section 6 of the Act of March 2, 1903, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," shall apply to the issue of additional certificates authorized by this Act.

Approved, July 21, 1921.

July 25, 1921.  
[H. J. Res. 32.]  
[Pub. Res., No. 10.]

Grand River, Colo.  
and Utah.  
Name changed to  
Colorado.

Rights, etc., not af-  
fected.

**CHAP. 52.**—Joint Resolution To change the name of the Grand River in Colorado and Utah to the Colorado River.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this Act the river heretofore known as the Grand River, from its source in the Rocky Mountain National Park in Colorado to the point where it joins the Green River in the State of Utah and forms the Colorado River, shall be known and designated on the public records as the Colorado River.

**SEC. 2.** That the change in the name of said river shall in nowise affect the rights of the State of Colorado, the State of Utah, or of any county, municipality, corporation, association, or person; and all records, surveys, maps, and public documents of the United States in which said river is mentioned or referred to under the name of the Grand River shall be held to refer to the said river under and by the name of the Colorado River.

Approved, July 25, 1921.

July 26, 1921.  
[H. J. Res. 31.]  
[Pub. Res., No. 11.]

War Risk Insurance.  
Disbursing clerk  
credited with advance  
payments.  
Vol. 40, p. 400.

**CHAP. 53.**—Joint Resolution Authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That for such reasonable time as may be fixed by the Secretary of the Treasury, but not extending beyond the fiscal year ending June 30, 1922, the accounting officers of the Treasury are hereby authorized and directed to allow credit in the accounts of the disbursing clerk of the Bureau of War Risk Insurance for all payments of insurance installments heretofore or hereafter made under the provisions of article 4 of the War Risk Insurance Act in advance of the verification of the deduction on the pay rolls or of the payment otherwise of all premiums.

Approved, July 26, 1921.

July 29, 1921.  
[H. R. 5651.]  
[Public, No. 43.]

Yazoo River, Miss.  
Examination to con-  
trol floods of.  
Vol. 39, p. 948.

**CHAP. 54.**—An Act Providing for a preliminary examination of the Yazoo River, Mississippi, with a view to the control of its floods.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary

examination to be made of the Yazoo River, Mississippi, with a view to the control of its floods, in accordance with the provisions of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and the Sacramento River, California, and for other purposes," approved March 1, 1917.

Approved, July 29, 1921.

CHAP. 55.—An Act Providing for an exchange of lands between the Swan Land and Cattle Company and the United States.

August 9, 1921.

[S. 488.]

[Public, No. 44.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That upon proper execution and delivery by the Swan Land and Cattle Company, Limited, a corporation, of a deed conveying to the United States, its successors and assigns, a good merchantable title in fee, free of incumbrance, to certain lands needed by the United States for construction, operation, and maintenance purposes, in connection with the North Platte irrigation project, Nebraska-Wyoming, to wit: The southwest quarter of the northeast quarter and the southeast quarter of the northwest quarter of section twenty-five, township twenty-five north, range sixty-three west, sixth principal meridian, Wyoming; then in exchange for such lands so conveyed a patent shall be issued by the United States to said Swan Land and Cattle Company, its successors and assigns, conveying to said company the northeast quarter of the northeast quarter of section twenty-six and the northeast quarter of the southwest quarter of section twenty-three, township twenty-five north, range sixty-three west, sixth principal meridian.

Swan Land and Cattle Company.  
Acceptance of lands for irrigation project from.

Lands given in exchange.

Approved, August 9, 1921.

CHAP. 56.—An Act To quiet title to certain tracts of land in the city of Walters, State of Oklahoma.

August 9, 1921.

[S. 580.]

[Public, No. 45-46.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whatsoever right, title, or interest the United States may have, by reason of escheat or otherwise, in and to any of the public reserves shown upon the plat of the town site of Walters, State of Oklahoma, prepared under the direction of Warren H. Brown, probate judge of Comanche County, Oklahoma, and any public reserves designated in the patent of said reserves issued by the Government to said town be, and the same is hereby, released and quitclaimed unto said city or town of Walters, State of Oklahoma.

Walters, Okla.  
Town site tracts quitclaimed to.

Approved, August 9, 1921.

CHAP. 57.—An Act To establish a Veterans' Bureau and to improve the facilities and service of such bureau, and further to amend and modify the War Risk Insurance Act.

August 9, 1921.

[H. R. 6611.]

[Public, No. 47.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### TITLE I.—VETERANS' BUREAU.

SECTION 1. There is hereby established an independent bureau under the President to be known as the Veterans' Bureau, the director of which shall be appointed by the President, by and with the advice and consent of the Senate. The director of the Veterans' Bureau shall receive a salary of \$10,000 per annum, payable monthly.

Veterans' Bureau.  
Post, p. 202.

Established under direction of the President.

Director.  
Appointment and salary.

The word "director," as hereinafter used in this Act, shall mean the Director of the Veterans' Bureau.

Director of War Risk Insurance Bureau. Office abolished and powers transferred.

The powers and duties pertaining to the office of the Director of the Bureau of War Risk Insurance now in the Treasury Department are hereby transferred to the director, subject to the general direction of the President, and the said office of the Director of the Bureau of War Risk Insurance is hereby abolished.

Administrative staff authorized.

There shall be included on the technical and administrative staff of the director such staff officers, experts, and assistants as the director shall prescribe; and there shall be in the Veterans' Bureau such sections and subdivisions thereof as the director shall prescribe.

Power and authority of Director.

SEC. 2. The director, subject to the general direction of the President, shall administer, execute, and enforce the provisions of this Act, and for that purpose shall have full power and authority to make rules and regulations not inconsistent with the provisions of this Act, which are necessary or appropriate to carry out its purposes and shall decide all questions arising under this Act except as otherwise provided herein.

War Risk Insurance Bureau functions, etc., transferred.

SEC. 3. The functions, powers, and duties conferred by existing law upon the Bureau of War Risk Insurance are hereby transferred to and made a part of the Veterans' Bureau.

Rehabilitation duties, etc., of Vocational Education Board transferred. Vol. 40, p. 617.

The functions, powers, and duties conferred upon the Federal Board for Vocational Education by the Act entitled "An Act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, and amendments thereto, are hereby transferred to and made a part of the Veterans' Bureau.

Personnel, facilities, etc., of War Risk Insurance and rehabilitation transferred hereto.

SEC. 4. All personnel, facilities, property, and equipment, including leases, contracts, and other obligations and instrumentalities in the District of Columbia and elsewhere of the Bureau of War Risk Insurance, of the United States Public Health Service, as described and provided in a written order of the Treasury Department issued and signed by the Secretary of the Treasury on April 19, 1921, and designated "Order relative to the transfer of certain activities of the United States Public Health Service, relating to the Bureau of War Risk Insurance, including the trainees of the Rehabilitation Division of the Federal Board for Vocational Education," and of the Rehabilitation Division of the Federal Board for Vocational Education, as a result of the administration of the Act approved June 27, 1918, and amendments thereto, are hereby transferred to and made a part of the Veterans' Bureau under the control, management, operation, and supervision of the director, and subject to such change in designation and organization as he may deem necessary in carrying out the provisions of this Act: *Provided*, That all commissioned personnel detailed or hereafter detailed from the United States Public Health Service to the Veterans' Bureau, shall hold the same rank and grade, shall receive the same pay and allowances, and shall be subject to the same rules for relative rank and promotion as now or hereafter may be provided by law for commissioned personnel of the same rank or grade or performing the same or similar duties in the United States Public Health Service.

Vol. 40, p. 617.

Director to control, etc.

*Provided*. Officers detailed from Public Health Service to hold same rank, etc.

Public Health Service records, etc., of services to war risk patients, etc., to be transferred.

Vol. 40, p. 617.

SEC. 5. All records, files, documents, correspondence, and other papers relating to service rendered or to be rendered by the United States Public Health Service in the medical examination, assignment to hospitals, and treatment of persons who are now or have been patients and beneficiaries of the Bureau of War Risk Insurance or of the Rehabilitation Division of the Federal Board for Vocational Education, as a result of the administration of the Act approved

June 27, 1918, and amendments thereto, and as described and provided in a written order of the Treasury Department issued and signed by the Secretary of the Treasury on April 19, 1921, and designated "Order relative to the transfer of certain activities of the United States Public Health Service relating to the Bureau of War Risk Insurance, including the trainees of the Rehabilitation Division of the Federal Board for Vocational Education," shall be transferred to the Veterans' Bureau.

All records, files, documents, correspondence, and other papers in the possession of the Bureau of War Risk Insurance, and those which as a result of the administration of the Act approved June 27, 1918, and amendments thereto, are in the possession of the Rehabilitation Division of the Federal Board for Vocational Education shall be transferred to the Veterans' Bureau.

SEC. 6. The director shall establish a central office in the District of Columbia, and not more than fourteen regional offices and such suboffices, not exceeding one hundred and forty in number, within the territory of the United States and its outlying possessions as may be deemed necessary by him and in the best interests of the work committed to the Veterans' Bureau and to carry out the purposes of this Act. Such regional offices may, pending final action by the director in case of an appeal, under such rules and regulations as may be prescribed by the director, exercise such powers for hearing complaints and for examining, rating, and awarding compensation claims, granting medical, surgical, dental, and hospital care, convalescent care, and necessary and reasonable after care, making insurance awards, granting vocational training, and all other matters delegated to them by the director as could be performed lawfully under this Act by the central office. The suboffices shall have such powers as may be delegated to them by the director, except to make compensation and insurance awards and to grant vocational training.

The regional offices and suboffices, with all authority to establish such offices, shall terminate on June 30, 1926, but nothing herein shall prevent the director from terminating any regional offices or suboffices when in his judgment this may be done without detriment to the administration of this Act, and upon such termination all records and supplies pertaining thereto shall be delivered to the central office.

SEC. 7. The beneficiaries of the Bureau of War Risk Insurance and the Rehabilitation Division of the Federal Board for Vocational Education shall hereafter be the beneficiaries of the Veterans' Bureau, and complete individual record of each beneficiary shall be kept by the Veterans' Bureau.

SEC. 8. All sums heretofore appropriated for carrying out the provisions of the War Risk Insurance Act and amendments thereto, and to carry out the provisions of the Act entitled "An Act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, and amendments thereto, shall, where unexpended, be made available for the Veterans' Bureau, and may be expended in such manner as the director deems necessary in carrying out the purposes of this Act, with the restrictions heretofore imposed as to number of persons that may be employed at stated salaries.

SEC. 9. The director, subject to the general directions of the President, shall be responsible for the proper examination, medical care, treatment, hospitalization, dispensary, and convalescent care, necessary and reasonable after care, welfare of, nursing, vocational training, and such other services as may be necessary in the carrying out of the provisions of this Act, and for that purpose is hereby author-

War Risk Insurance Bureau and Rehabilitation Division records, etc., transferred.

Central office and regional offices and suboffices established.

Powers, etc., of regional offices.

Suboffices.

Regional and suboffices.  
Termination of.

War risk and rehabilitation beneficiaries placed under Bureau.

War risk and rehabilitation appropriations made available.  
Vol. 40, p. 617.

Control of Director.

General powers of Director.



Authorized to utilize facilities of available Government agencies.

Additional facilities from agencies.

Inspection service. Maintenance, authority, etc.

Use of other agencies. Report of examinations, etc.

Further hospitalization, etc., if utilized services unsatisfactory.

Improving, extending, etc., Government hospital facilities, authorized.

New property to be permanent equipment of Bureau, or other Government agency.

Contracts for other medical services, etc., if Government facilities inadequate.

Public Health hospitals may be transferred to control of Bureau.

Use for beneficiaries only.

Details for examining compensation and insurance claims.

ized to utilize the now existing or future facilities of the United States Public Health Service, the War Department, the Navy Department, the Interior Department, the National Homes for Disabled Volunteer Soldiers, and such other governmental facilities as may be made available for the purposes set forth in this Act; and such governmental agencies are hereby authorized and directed to furnish such facilities, including personnel, equipment, medical, surgical, and hospital services and supplies as the director may deem necessary and advisable in carrying out the provisions of this Act, in addition to such governmental facilities as are hereby made available.

In order to standardize the character of examination, medical care, treatment, hospitalization, dispensary, and convalescent care, nursing, vocational training, and such other services as may be necessary for beneficiaries under this Act, the director shall maintain an inspection service, with authority to examine all facilities and services utilized in carrying out the purpose of this Act, and for this purpose, with the approval of the President, may utilize such other Government or private agencies as may be deemed practicable and necessary. The head of the inspection service shall report to the director in the manner the director may prescribe the result of each examination of facilities and services, and shall recommend to him methods of standardizing such facilities and services.

When, in the opinion of the director, the facilities and services utilized for the hospitalization, medical care, and treatment for beneficiaries under this Act are unsatisfactory, the director shall make arrangements for the further hospitalization, care, and treatment of such beneficiaries by other means.

In the event that there is not sufficient Government hospital and other facilities for the proper medical care and treatment of beneficiaries under this Act, and the director deems it necessary and advisable to secure additional Government facilities, he may, within the limits of appropriations made for carrying out the provisions of this paragraph, and with the approval of the President, improve or extend existing governmental facilities, or acquire additional facilities by purchase or otherwise. Such new property and structures as may be so improved, extended, or acquired shall become part of the permanent equipment of the Veterans' Bureau or of some one of the now existing agencies of the Government, including the War Department, Navy Department, Interior Department, Treasury Department, the National Homes for Disabled Volunteer Soldiers, in such a way as will best serve the present emergency, taking into consideration the future services to be rendered the veterans of the World War, including the beneficiaries under this Act.

In the event Government hospital facilities and other facilities are not thus available or are not sufficient, the director may contract with State, municipal, or private hospitals for such medical, surgical, and hospital services and supplies as may be required, and such contracts may be made for a period of not exceeding five years and may be for the use of a ward or other hospital unit or on such other basis as may be in the best interest of the beneficiaries under this Act.

The President is hereby authorized, should he deem it necessary and advisable for the proper medical care and treatment of beneficiaries under this Act, to transfer to the director the operation, management, and control of specifically designated hospitals now under the jurisdiction of the Public Health Service. Such hospitals when transferred shall be used exclusively for beneficiaries under this Act and shall be under the operative control of the director for such period of time as the President may prescribe.

SEC. 10. For the purpose of this Act, the director is authorized to detail from time to time clerks or persons employed in the bureau, to

make examinations into the merits of compensation and insurance claims, whether pending or adjudicated, as he may deem proper, and to aid in the preparation, presentation, or examination of such claims; and any such person so detailed shall have power to administer oaths, take affidavits, and certify to the correctness of the papers and documents pertaining to the administration of this Act. Nothing in this section shall be construed to authorize a travel allowance to clerks or persons for transportation or subsistence outside of the district in which they are employed.

Travel restriction.

SEC. 11. The director is hereby authorized to make such rules and regulations as may be deemed necessary in order to promote good conduct on the part of persons who are receiving care or treatment in hospitals, homes, or institutions as patients or beneficiaries of said bureau during their stay in such hospitals, homes, institutions, or training centers. Penalties for the breach of such rules and regulations may, with the approval of the director, extend to a forfeiture by the offender of such portion of the compensation payable to him, not exceeding three-fourths of the monthly installment per month for three months, for a breach committed while receiving treatment in such hospital, home, institution, or training center as may be prescribed by such rules and regulations: *Provided*, That the offender shall have the right to appeal the decision involving the forfeiture of a part of his compensation to a board of three persons which shall be established and appointed by the director in September of each year for each regional district. Such board shall be known as the Board on Discipline and Morale. It shall serve without compensation, and at least one of the members of such board shall be an ex-service man and a member of some war veterans' organization. No person who is in the employ of the United States shall be a member of such board. The decision of such board, after hearing all the evidence presented by the offender and those charging a breach of the rules and regulations, shall be final.

Rules for conduct of patients at hospitals, etc., authorized.

Penalties for breach thereof.

*Provided*. Appeal if decision involves money forfeiture.

Board of discipline and morale established. Composition, etc.

Decision final.

SEC. 12. The director may set forth in regulations to be prescribed by him the conditions and limitations whereby all patients or beneficiaries of the Veterans' Bureau who are receiving treatment through the bureau as inmates of a hospital may allot any proportion or proportions or any fixed amount or amounts of their monthly compensation for such purposes and for the benefit of such person or persons as they may direct.

Allotments of monthly compensation. Regulations for, to be prescribed.

In case such inmate has not allotted three-fourths of his monthly compensation, regulations to be made by the director may provide that any unallotted portion of such three-fourths compensation may be deposited to his credit with the Treasurer of the United States to accumulate at such rate of interest as the Secretary of the Treasury may determine but at a rate never less than 3½ per centum per annum, payable for no period, however, of less than six months, and when payable shall be paid, principal and interest, to such patient if living; otherwise, to any beneficiary or beneficiaries he may have designated, or, if there be no such beneficiary, then to the executor or administrator of the estate of such deceased person: *Provided*, That this paragraph shall not be so construed as to prevent payment by the bureau from the amounts due to the decedent's estate of his funeral expenses, expenses of last illness, board, rent, lodging, or other household expenses for which decedent is liable, provided a claim therefor is presented by the creditors or by the person or persons who actually paid the same before settlement by the Veterans' Bureau.

Unallotted portion may be deposited in the Treasury.

Payment, etc.

*Provided*. Allowance for funeral expenses, etc.

The Secretary of the Treasury is hereby authorized to invest and reinvest the said allotments deposited with him, or any part thereof, in interest-bearing obligations of the United States and to sell the obligations for the purposes of said funds.

Investment of allotments, etc.

Free treatment to persons disabled by injury or disease incurred or aggravated in active service since April 6, 1917.

*Provided.*  
Injury, etc., incurred in line of duty.

Time limit for applications.

Itemized account of expenditures, etc., to be submitted to Congress.

Annual report.

Presenting false statements, affidavits, etc., in claims for compensation, etc., a misdemeanor.

Vol. 40, p. 611; Vol. 41, p. 373.

Additional punishment for.

War Risk Insurance Act Amendments.

Vol. 40, p. 609, amended.

Compensation and insurance benefits. Discharge for specified causes a bar to payments, etc.

Vol. 40, pp. 409, 614.

Vol. 40, pp. 404, 611.

*Provided.*  
Converted insurance payment.

SEC. 13. In addition to the care, treatment, and appliances now authorized by law, said bureau also shall provide without charge therefor hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances for any member of the military or naval forces of the United States separated therefrom under honorable conditions disabled by reason of any wound or injury received or disease contracted, or by reason of any aggravation of a preexisting injury or disease, specifically noted at examination for entrance into or employment in the active military or naval service, while in the active military or naval service of the United States on or after April 6, 1917: *Provided*, That the wound or injury received or disease contracted, or aggravation of a preexisting injury or disease, for which such hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances shall be furnished, was incurred in line of duty and not caused by his own willful misconduct: *Provided further*, That application for such care and treatment and appliances provided for in this section shall be made within one year from date of separation from service or from the date this Act goes into effect, whichever is the later.

SEC. 14. The director shall file with the Clerk of the House and the Secretary of the Senate on the first day of the next regular session after this Act takes effect an itemized account of all expenditures, classified by regional offices and suboffices, made under this Act, including names, classifications, and salaries of all staff officers, experts, assistants, and employees, and the nature and terms of all contracts made under the authority of this Act, and the names and principal place of business of the parties thereto. Thereafter, on the first Monday in December of each year, the director shall make a report to Congress of his doings under this Act for the preceding fiscal year.

Any person who shall knowingly make or cause to be made, or conspire, combine, aid or assist in, agree to, arrange for, or in anywise procure the making or presentation of a false or fraudulent affidavit, declaration, certificate, statement, voucher, or paper or writing purporting to be such, concerning any claim or the approval of any claim for compensation or the payment of any money, for himself or for any other person, under Article III of the War Risk Insurance Act, or any Acts amendatory of or supplemental to such Article III, shall forfeit all rights, claims, and benefits under such Article III, and in addition to any and all other penalties imposed by law shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000 or imprisonment for not more than one year, or by both such fine and imprisonment, for each such offense.

## TITLE II.—AMENDMENTS TO THE WAR RISK INSURANCE ACT.

SEC. 15. Section 29 of the War Risk Insurance Act is hereby amended to read as follows:

"SEC. 29. The discharge or dismissal of any person from the military or naval forces on the ground that he is an enemy alien, conscientious objector, or a deserter, or is guilty of mutiny, treason, spying, or any offense involving moral turpitude, or willful and persistent misconduct, shall terminate any insurance granted on the life of such person under the provisions of Article IV, and shall bar all rights to any compensation under Article III or any insurance under Article IV: *Provided*, That, as to converted insurance, the cash surrender value thereof, if any, on the date of such discharge or dismissal shall be paid the insured, if living, and if dead to the

designated beneficiary: *Provided further*, That an enemy alien who volunteered or who was drafted into the Army, Navy, or Marine Corps of the United States during the World War, and who was not discharged from the service on his own application or solicitation, by reason of his being an enemy alien, and whose service was honest and faithful, shall be entitled to the benefit of the War Risk Insurance Act and all amendments thereto: *Provided further*, That in case any person has been dishonorably discharged from the military or naval forces as a result of a court-martial trial, and it is thereafter established to the satisfaction of the director that at the time of the commission of the offense resulting in such court-martial trial and discharge that such person was insane, such person shall be entitled to the compensation and insurance benefits of the War Risk Insurance Act."

Enemy alien in United States service during World War, entitled to war risk benefits, etc.

Insane persons dishonorably discharged by courts martial.

Disability compensation, etc.  
Vol. 41, p. 372, amended.

Persons provisionally accepted and ordered to camp, etc., given status as an inducted man, etc.

Benefits allowed.  
Vol. 40, pp. 404, 406;  
Vol. 41, pp. 611, 614.

Allotments.  
Vol. 40, p. 611, amended.

Investigation, etc., for making awards.

Proviso.  
No recovery of paid allotments.

Cases of fraud, etc., excepted.

Death or disability compensation.

Officers, enlisted men, etc., entitled to, for injury, etc., incurred after April 6, 1917.  
Vol. 41, p. 373, amended.

SEC. 16. Section 31 of the War Risk Insurance Act is hereby amended by adding thereto a subsection to be known as subsection (a) and to read as follows:

"(a) Any person who between the 6th day of April, 1917, and the 11th day of November, 1918, applied for enlistment or enrollment in the military or naval forces, and who was accepted provisionally and directed or ordered to a camp, post, station, or other place for final acceptance into such service, shall be deemed to have the same status as an inducted man not yet accepted and enrolled for active service during the period while such person was complying with such order or direction, and during such compliance, and until his final acceptance or rejection for enlistment or enrollment into the military or naval forces, shall be entitled to the same benefits under Articles III and IV of the War Risk Insurance Act as an inducted man not yet accepted and enrolled for active service."

SEC. 17. Section 210 of the War Risk Insurance Act as amended is hereby amended to read as follows:

"SEC. 210. Upon receipt of any application for family allowance, the director shall make all proper investigations and shall make an award, on the basis of which award the amount of the allotments to be made by the man shall be certified to the War Department or Navy Department, as may be proper. Whenever the director shall have reason to believe that an allowance has been improperly made or that the conditions have changed, he shall investigate or reinvestigate and may modify the award. The amount of each monthly allotment and allowance shall be determined according to the family conditions existing on the first day of the month: *Provided*, That whenever an award of allotment or allowance, or both, covering any period has been paid to, or on behalf of, a person designated by the enlisted man as beneficiary of his allotment, no recovery of the allotments paid in such cases shall hereafter be made for any reason whatsoever; and no recovery of the allowances paid in such cases shall hereafter be made for any reason whatsoever except where it is shown that the person receiving the allowance does not bear the relationship to the enlisted man which is required by the War Risk Insurance Act, and except, also, in cases of manifest fraud."

SEC. 18. Section 300 of the War Risk Insurance Act is hereby amended to read as follows:

"SEC. 300. For death or disability resulting from personal injury suffered or disease contracted in the line of duty on or after April 6, 1917, or for an aggravation of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered and contracted in the line of duty on or after April 6, 1917, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Depart-

Payment to person  
or dependents.

Willful misconduct  
exclusion.

Soundness on en-  
trance inferred if in  
active service Novem-  
ber 11, 1918.

Recorded defects ex-  
cepted.

Development in two  
years after leaving  
service inferred as ac-  
quired therein.

Vol. 41, p. 373.

Claims if developed  
later.

Effective as of April  
6, 1917.

Vol. 40, p. 407, amend-  
ed.

Review of awards,  
etc.

Vol. 40, p. 407, amend-  
ed.

Compensation not  
payable, unless occur-  
ing within one year  
after leaving service.

Exceptions modi-  
fied.

Injuries caused by  
other persons.

Vol. 40, p. 614, amend-  
ed.

ment or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, or aggravation has been caused by his own willful misconduct. That for the purposes of this section every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to the date of approval of this amendatory Act, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who hereafter is discharged or resigns, shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities, made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided further*, That an ex-service man who is shown to have an active pulmonary tuberculosis or neuropsychiatric disease (of more than 10 per centum degree of disability in accordance with the provisions of subdivision (2) of section 302 of the War Risk Insurance Act, as amended) developing within two years after separation from the active military or naval service of the United States shall be considered to have acquired his disability in such service, or to have suffered an aggravation of a preexisting pulmonary tuberculosis or neuropsychiatric disease in such service, but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per centum degree (in accordance with the provisions of subdivision (2) of section 302 of the War Risk Insurance Act, as amended) at a date more than two years after separation from such service, if the facts of the case substantiate his claim. This section shall be deemed to be in effect as of April 6, 1917."

SEC. 19. Section 305 of the War Risk Insurance Act is hereby amended to read as follows:

"SEC. 305. Upon its own motion or upon application the bureau may at any time review an award, and, in accordance with the facts found upon such review, may end, diminish, or increase the compensation previously awarded, or, if compensation is increased, or, if compensation has been refused, reduced or discontinued, may award compensation in proportion to the degree of disability sustained as of the date such degree of disability began, but not earlier than the date of discharge or resignation."

SEC. 20. Section 306 of the War Risk Insurance Act is hereby amended to read as follows:

"SEC. 306. No compensation shall be payable for death or disability which does not occur prior to or within one year after discharge or resignation from the service, except that where, after a medical examination made pursuant to regulations, a certificate has been obtained from the director at the time of discharge or resignation from the service, or within one year thereafter, or within one year after the passage of this amendatory Act, whichever is the later, to the effect that the injured person at the time of his discharge or resignation was suffering from injury likely to result in death or disability, compensation shall be payable for death or disability whenever occurring, proximately resulting from such injury."

SEC. 21. Section 313 of the War Risk Insurance Act, as amended, is hereby amended by adding thereto, immediately following subsection (2) thereof, a new subsection to be known as subsection (2a) and to read as follows:

"(2a) The Veterans' Bureau is hereby authorized to pay the beneficiary or other person or persons in whose name an action may have been commenced or prosecuted, and to all witnesses in such action, fees and mileage, the same as is now paid and allowed to witnesses in the United States courts, in going to, remaining at, and returning from place of trial, and without any regard to whether the action, if any, is brought or prosecuted in a court of the United States or some other court.

Cases assigned to the Government.

Payment of witness fees, etc.

"In all cases of assignment of causes of action under this section, whether the assignment be heretofore or hereafter made, where it shall appear to the director to be to the best interests of the beneficiary so to do, the director, acting for and in the name of the United States, may assign the cause of action back to the beneficiary or to his personal representatives."

Reassignment to beneficiary authorized.

SEC. 22. A new section is hereby added to Article III of the War Risk Insurance Act to be known as section 315, and to read as follows:

Vol. 40, p. 408, amended.

"SEC. 315. That no person admitted into the military or naval forces of the United States after six months from the passage of this amendatory Act shall be entitled to the compensation or any other benefits or privileges provided under the provisions of Article III of the War Risk Insurance Act, as amended."

Compensation, etc., not applicable to persons entering service hereafter.

SEC. 23. Section 402 of the War Risk Insurance Act is hereby amended by adding thereto a subsection to be known as subsection (a) and to read as follows:

Insurance policies.

"(a) Where a beneficiary at the time of designation by the insured is within the permitted class of beneficiaries and is the designated beneficiary at the time of the maturity of the insurance because of the death of the insured, such beneficiary shall be deemed to be within the permitted class even though the status of such beneficiary shall have been changed."

Payment to beneficiary if of permitted class when designated.

SEC. 24. Section 404 of the War Risk Insurance Act is hereby amended to read as follows:

Vol. 40, p. 410, amended.

"SEC. 404. During the period of the war and thereafter until converted the insurance shall be term insurance for successive terms of one year each. Not later than five years after the date of the termination of the war as declared by proclamation of the President of the United States the term insurance shall be converted, without medical examination, into such form or forms of insurance as may be prescribed by regulations and as the insured may request. Regulations shall provide for the right to convert into ordinary life, twenty-payment life, endowment maturing at age sixty-two, and into other usual forms of insurance, and shall prescribe the time and method of payment of the premiums thereon, but payments of premiums in advance shall not be required for periods of more than one month each and may be deducted from the pay or deposit of the insured or be otherwise made at his election.

Term insurance during the war, etc.

Conversion after termination.

Conversion rights, etc.

"In case where an insured whose yearly renewable term insurance has matured by reason of total permanent disability is found and declared to be no longer permanently and totally disabled, and where the insured is required under regulations to renew payment of premiums on said term insurance, and where this contingency is extended beyond the five-year period during which said yearly renewable term insurance otherwise must be converted, there shall be given such insured an additional period of two years from the date on which he is required to renew payment of premiums in which to convert said term insurance as hereinbefore provided."

Insurance matured by total disability. Renewal authorized if no longer disabled.

SEC. 25. A new section is hereby added to Article IV of the War Risk Insurance Act to be known as section 406, and to read as follows:

New sections.

"SEC. 406. Whenever benefits under United States Government life insurance (converted insurance) become or have become payable

Benefits due on account of extra hazard, to be paid by United States.

Transfer from appropriations to insurance fund.

Reduced insurance allowed on recovery from total disability.

Transfer of funds.

Installments due on death of insured.  
Vol. 41, p. 376.

Payment to estate if no surviving beneficiaries.

*Proviso.*  
Escheat to United States, etc.

Effective as of October 6, 1917.

Reinstated insurance.

Approval without medical examination.

*Proviso.*  
Disabled in active World War service.

Proof of origin.

Back premiums, etc., to be paid.

Payment to beneficiary if insurance lapsed while suffering from disability entitling compensation, etc.

because of total permanent disability of the insured or because of the death of the insured as a result of disease or injury traceable to the extra hazard of the military or naval service as such hazard may be determined by the director, the liability shall be borne by the United States, and the director is hereby authorized and directed to transfer from the military and naval insurance appropriation to the United States Government life insurance fund a sum which, together with the reserve of the policy at the time of maturity by total permanent disability or death, will equal the then value of such benefits. When a person receiving total permanent disability benefits under a United States Government life policy (converted policy) recovers from such disability and is then entitled to continue a reduced amount of insurance, the director is hereby authorized and directed to transfer to the military and naval insurance appropriation all of the loss reserve to the credit of such policy claim except a sum sufficient to set up the then required reserve on the reduced amount of insurance that may be continued, which sum shall be retained in the United States Government life insurance fund for the purpose of such reserve."

SEC. 26. A new section is hereby added to Article IV of the War Risk Insurance Act (including therein section 14 of the Act entitled "An Act to amend and modify the War Risk Insurance Act," approved December 24, 1919), to be known as section 407, and to read as follows:

"Sec. 407. If no person within the permitted class of beneficiaries survive the insured, then there shall be paid to the estate of the insured the monthly installments payable and applicable under the provisions of Article IV of the War Risk Insurance Act: *Provided*, That in cases where the estate of the insured would escheat under the laws of the place of his residence the insurance shall not be paid to the estate of the insured, but shall escheat to the United States and shall be credited to the United States Government life insurance fund or the military and naval insurance appropriation, as may be proper. This section shall be deemed to be in effect as of October 6, 1917."

SEC. 27. A new section is hereby added to Article IV of the War Risk Insurance Act, to be known as section 408, and to read as follows:

"SEC. 408. In the event that all provisions of the rules and regulations other than the requirements as to the physical condition of the applicant for insurance have been complied with, an application for reinstatement of lapsed or canceled yearly renewable term insurance or application for United States Government life insurance (converted insurance) hereafter made may be approved: *Provided*, That the applicant's disability is the result of an injury or disease or of an aggravation thereof suffered or contracted in the active military or naval service during the World War: *Provided further*, That the applicant during his lifetime submits proof satisfactory to the director showing the service origin of the disability or aggravation thereof and that the applicant is not totally and permanently disabled. As a condition, however, to the acceptance of an application for the reinstatement of lapsed or canceled yearly renewable term insurance or United States Government life insurance (converted insurance) the applicant shall be required to pay all the back monthly premiums which would have become payable if such insurance had not lapsed, together with interest at the rate of 5 per centum per annum compounded annually on each premium from the date said premium is due by the terms of the policy: *Provided further*, That where any soldier has heretofore allowed his insurance to lapse, while suffering from wounds or disease suffered or contracted in line of service, and was at the time he allowed his said policy to lapse entitled to

compensation on account thereof in a sum equal to or in excess of the amount due from him in premiums on his said insurance, and has since died from said wounds or disease without collecting or making claim for said compensation, or being allowed to reinstate his said policy on account of his physical condition, then and in that event said policy shall not be considered as lapsed, and the Veterans' Bureau is hereby authorized and directed to pay to the beneficiaries of said soldier under said policy the amount of said insurance less the premiums and interest thereon at 5 per centum per annum compounded annually in installments as provided by law."

SEC. 28. A new section is hereby added to Article IV of the War Risk Insurance Act to be known as section 409, and to read as follows:

"SEC. 409. The Veterans' Bureau is authorized to make provision in accordance with regulations, whereby the payment of premiums on yearly renewable term insurance and United States Government life insurance (converted insurance) on the due date thereof may be waived and the insurance may be deemed not to lapse in the cases of the following persons, to wit: (a) Those who are confined in a hospital under said bureau for a compensable disability during the period while they are so confined; (b) those who are rated as temporarily totally disabled by reason of an injury or disease entitling them to compensation during the period of such total disability and while they are so rated: *Provided*, That such relief from payment of premiums on renewable term insurance on the due date thereof shall be for full calendar months, beginning with the month in which said confinement to hospital, or temporary total disability rating begins, and ending with that month during the half or major fraction of which the person is confined in hospital, or is rated as temporarily totally disabled: *Provided further*, That all premiums, the payment of which when due is waived as above provided, shall bear interest at the rate of 5 per centum per annum compounded annually from the due date of each premium, and if not paid by the insured shall be deducted from the insurance when the same matures either because of permanent total disability or death."

SEC. 29. A new section is hereby added to Article IV of the War Risk Insurance Act to be known as section 410, and to read as follows:

"SEC. 410. Under such rules and regulations as the Director of the Veterans' Bureau and the Postmaster General may prescribe, the Postmaster General is hereby authorized to receive the premiums on yearly renewable term insurance and United States Government life insurance (converted insurance) and to act for and turn over to the Treasurer of the United States the money so received, and if the money-order system is used as an agency for the transmission of such money, the Postmaster General may adopt a specially-designed money-order form for such purpose, and he also is authorized to receive and transmit to the Veterans' Bureau applications for reinstatement of lapsed insurance and applications for conversion of yearly renewable term insurance."

SEC. 30. A new section is hereby added to Article IV of the War Risk Insurance Act to be known as section 411, and to read as follows:

"SEC. 411. Subject to the provisions of section 29 of the War Risk Insurance Act and amendments thereto policies of insurance heretofore or hereafter issued in accordance with Article IV of the War Risk Insurance Act shall be incontestable after six months from date of issuance, or reinstatement, except for fraud or nonpayment of premiums."

Approved, August 9, 1921.

Payment of premiums.

Dates for payments may be waived.

While confined in hospital, etc.

If temporarily totally disabled.

*Provided*.  
Extent of time allowed.

Interest on waived premiums.

Deduction at maturity.

Postal service.

Postmaster General may receive insurance premiums.

Special money order form.

Insurance applications.

Policies.

Incontestable after six months.  
Vol. 40, p. 609.

Exceptions.



August 9, 1921.  
[S. J. Res. 72.]  
[Pub. Res., No. 12.]

Pink bollworm of cotton.  
Compensation for losses by farmers for enforced nonproduction to eradicate.  
Vol. 41, p. 1346.

*Proviso.*  
Restriction in reimbursement to States.

**CHAP. 58.**—Joint Resolution For the relief of States in the cotton belt that have given aid to cotton farmers forced from the fields in established nonproduction zones through efforts to eradicate the pink bollworm.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That when any State shall have enacted legislation and taken measures, including the establishment and enforcement of noncotton zones, adequate, in the opinion of the Secretary of Agriculture, to eradicate the pink bollworm in any area thereof actually infested, or threatened, by such pest, the said Secretary, under regulations to be prescribed by him, is authorized, out of the appropriation of \$554,840 for "Eradication of pink bollworm" made by the Agricultural Appropriation Act of March 3, 1921, to utilize not to exceed \$200,000 in reimbursing such States for expenses incurred by them in compensating any farmer for his loss due to the enforced nonproduction of cotton within said zones: *Provided,* That such reimbursement of any State shall be based upon the actual and necessary loss suffered by the owner of said land; that such reimbursement shall not exceed one-third the amount actually paid by the State to any farmer, and, in no event, shall exceed \$5 per acre; and that no reimbursement shall be made in respect of any farmer who has not complied in good faith with all quarantine and control regulations prescribed by said Secretary of Agriculture and such State relative to the pink bollworm.

Approved, August 9, 1921.

August 10, 1921.  
[S. J. Res. 5.]  
[Pub. Res., No. 13.]

Portland, Oreg.  
Foreign nations invited to exposition at, in 1925.

*Proviso.*  
No Government expenses.

**CHAP. 60.**—Joint Resolution Authorizing the President to invite foreign nations to take part in an exposition at Portland, Oregon, in 1925.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is hereby authorized and requested to invite foreign countries to participate in an exposition to be held in the city of Portland, State of Oregon, in the year 1925, to celebrate the completion of transcontinental and Pacific highways, the centennial of the invention of the electromagnet, and to exemplify the development of hydroelectric energy: *Provided,* That the United States Government shall be put to no expense by reason of the extending of the invitation.

Approved, August 10, 1921.

August 11, 1921.  
[S. 252.]  
[Public, No. 43.]

North and South Dakota school lands.  
Vol. 25, p. 680, amended.

Rights of way, etc., authorized on.

**CHAP. 61.**—An Act To amend an Act approved February 22, 1889, entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 11 of the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States," approved February 22, 1889, be, and the same hereby is, amended by adding the following: *Provided, however,* That the State may, upon such terms as it may prescribe, grant such easements or rights in such lands as may be acquired in, to, or over the lands of private properties through proceedings in eminent domain:

*And provided further*, That any of such granted lands found, after title thereto has vested in the State, to be mineral in character, may be leased for a period not longer than twenty years upon such terms and conditions as the legislature may prescribe.

Approved, August 11, 1921.

**CHAP. 62.**—An Act To extend the provisions of section 2455, Revised Statutes, to the lands within the abandoned Fort Buford Military Reservation in the States of North Dakota and Montana.

August 11, 1921.

[S. 732.]

[Public, No. 49.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of section 2455, Revised Statutes of the United States, be, and the same are hereby, extended to all nonmineral lands within the abandoned Fort Buford Military Reservation in the States of North Dakota and Montana, which were restored to disposal under the homestead, town site, and desert land laws under the provisions of the Act of May 19, 1900 (Thirty-first Statutes at Large, page 180).

Leasing of mineral lands.  
Fort Buford Military Reservation, N. Dak. and Mont.  
Sale of lands of abandoned.  
R. S., sec. 2455, p. 440.

Vol. 31, p. 180.

Approved, August 11, 1921.

**CHAP. 63.**—An Act To amend the Federal Farm Loan Act, as amended.

August 13, 1921.

[S. 1811.]

[Public, No. 50.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first paragraph of section 20 of the Federal Farm Loan Act, as amended, be, and hereby is, amended to read as follows:

Federal Farm Loan Act.  
Vol. 41, p. 1362, amended.

"SEC. 20. That bonds provided for in this Act shall be issued in denominations of \$40, \$100, \$500, \$1,000, and such larger denominations as the Federal Farm Loan Board may authorize; they shall run for specified minimum and maximum periods, subject to payment and retirement, at the option of the land bank, at any time after the minimum period specified in the bonds, which shall not be longer than ten years from the date of their issue. They shall have interest coupons attached, payable semiannually, and shall be issued in series of not less than \$50,000, the amount and terms to be fixed by the Federal Farm Loan Board. They shall bear a rate of interest not to exceed 5½ per centum per annum, but no bonds issued or sold after June 30, 1923, shall bear a rate of interest to exceed 5 per centum per annum."

Farm Loan bonds.  
Denominations, terms, etc.

Rate of interest modified.

Approved, August 13, 1921.

**CHAP. 64.**—An Act To regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes.

August 15, 1921.

[H. R. 6320.]

[Public, No. 51.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*,

#### TITLE I.—DEFINITIONS.

This Act may be cited as the "Packers and Stockyards Act, 1921."

SEC. 2. (a) When used in this Act—

(1) The term "person" includes individuals, partnerships, corporations, and associations;

(2) The term "Secretary" means the Secretary of Agriculture;

(3) The term "meat food products" means all products and by-products of the slaughtering and meat-packing industry—if edible;

Packers and Stockyards Act, 1921.

Title of Act.

Terms defined.

"Person."

"Secretary."

"Meat food products."

- "Live stock." (4) The term "live stock" means cattle, sheep, swine, horses, mules, or goats—whether live or dead;
- "Live-stock products." (5) The term "live-stock products" means all products and by-products (other than meats and meat food products) of the slaughtering and meat-packing industry derived in whole or in part from live stock; and
- "Commerce." (6) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession, or the District of Columbia.
- Transactions considered as of articles in interstate commerce. (b) For the purpose of this Act (but not in any wise limiting the foregoing definition) a transaction in respect to any article shall be considered to be in commerce if such article is part of that current of commerce usual in the live-stock and meat-packing industries, whereby live stock, meats, meat food products, live-stock products, dairy products, poultry, poultry products, or eggs, are sent from one State with the expectation that they will end their transit, after purchase, in another, including, in addition to cases within the above general description, all cases where purchase or sale is either for shipment to another State, or for slaughter of live stock within the State and the shipment outside the State of the products resulting from such slaughter. Articles normally in such current of commerce shall not be considered out of such current through resort being had to any means or device intended to remove transactions in respect thereto from the provisions of this Act. For the purpose of this paragraph the word "State" includes Territory, the District of Columbia, possession of the United States, and foreign nation.

## Packers.

## TITLE II.—PACKERS.

- Business described. SEC. 201. When used in this Act—
- Buying live stock for slaughter. The term "packer" means any person engaged in the business
- Preparing meats, etc. (a) of buying live stock in commerce for purposes of slaughter, or
- Manufacturing live-stock products. (b) of manufacturing or preparing meats or meat food products for sale or shipment in commerce, or (c) of manufacturing or preparing
- Marketing meats, etc. live-stock products for sale or shipment in commerce, or (d) of marketing meats, meat food products, live-stock products, dairy products, poultry, poultry products, or eggs, in commerce; but no person engaged in such business of manufacturing or preparing live-stock products or in such marketing business shall be considered a packer unless—
- Conditions including live-stock production, marketing meats, etc. (1) Such person is also engaged in any business referred to in clause (a) or (b) above, or unless
- Buying live stock or preparing meats, etc. (2) Such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, any interest in any business referred to in clause (a) or (b) above, or unless
- Controlling such business. (3) Any interest in such business of manufacturing or preparing live-stock products, or in such marketing business is owned or controlled, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, by any person engaged in any business referred to in clause (a) or (b) above, or unless
- If business controlled by live-stock dealers or preparing meats, etc. (4) Any person or persons jointly or severally, directly or indirectly, through stock ownership or control or otherwise, by themselves or through their agents, servants, or employees, own or control in the aggregate 20 per centum or more of the voting power or control in such business of manufacturing or preparing live-stock products,
- Owning 20 per cent of such business and 20 per cent of live stock dealers or preparing meats, etc.

or in such marketing business and also 20 per centum or more of such power or control in any business referred to in clause (a) or (b) above.

SEC. 202. It shall be unlawful for any packer to:

(a) Engage in or use any unfair, unjustly discriminatory, or deceptive practice or device in commerce; or

Unlawful acts.  
Unfair, deceptive, etc., practices.

(b) Make or give, in commerce, any undue or unreasonable preference or advantage to any particular person or locality in any respect whatsoever, or subject, in commerce, any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect whatsoever; or

Giving undue preferences to persons or localities.

(c) Sell or otherwise transfer to or for any other packer, or buy or otherwise receive from or for any other packer, any article for the purpose or with the effect of apportioning the supply in commerce between any such packers, if such apportionment has the tendency or effect of restraining commerce or of creating a monopoly in commerce; or

Apportioning supply among packers in restraint of commerce, etc.

(d) Sell or otherwise transfer to or for any other person, or buy or otherwise receive from or for any other person, any article for the purpose or with the effect of manipulating or controlling prices in commerce, or of creating a monopoly in the acquisition of, buying, selling, or dealing in, any article in commerce, or of restraining commerce; or

Trading in articles to manipulate prices, create monopoly, etc.

(e) Engage in any course of business or do any act for the purpose or with the effect of manipulating or controlling prices in commerce, or of creating a monopoly in the acquisition of, buying, selling, or dealing in, any article in commerce, or of restraining commerce; or

Conducting any business for such purposes.

(f) Conspire, combine, agree, or arrange with any other person (1) to apportion territory for carrying on business in commerce, or (2) to apportion purchases or sales of any article in commerce, or (3) to manipulate or control prices in commerce; or

Conspiring to apportion territory, purchases, prices, etc.

(g) Conspire, combine, agree or arrange with any other person to do, or aid or abet the doing of, any act made unlawful by subdivision (a), (b), (c), (d), or (e).

Conspiring to aid in unlawful acts.

SEC. 203. (a) Whenever the Secretary has reason to believe that any packer has violated or is violating any provision of this title, he shall cause a complaint in writing to be served upon the packer, stating his charges in that respect, and requiring the packer to attend and testify at a hearing at a time and place designated therein, at least thirty days after the service of such complaint; and at such time and place there shall be afforded the packer a reasonable opportunity to be informed as to the evidence introduced against him (including the right of cross-examination), and to be heard in person or by counsel and through witnesses, under such regulations as the Secretary may prescribe. Any person for good cause shown may on application be allowed by the Secretary to intervene in such proceeding, and appear in person or by counsel. At any time prior to the close of the hearing the Secretary may amend the complaint; but in case of any amendment adding new charges the hearing shall, on the request of the packer, be adjourned for a period not exceeding fifteen days.

Suspected violations. Packers to be served with complaints of.

Hearings:

Others may intervene.

Amending complaints, etc.

(b) If, after such hearing, the Secretary finds that the packer has violated or is violating any provisions of this title covered by the charges, he shall make a report in writing in which he shall state his findings as to the facts, and shall issue and cause to be served on the packer an order requiring such packer to cease and desist from continuing such violation. The testimony taken at the hearing shall be reduced to writing and filed in the records of the Department of Agriculture.

Issue of order to cease violations.

Testimony to be preserved.

Amendment of order, etc., prior to filing appeal.

(c) Until a transcript of the record in such hearing has been filed in a circuit court of appeals of the United States, as provided in section 204, the Secretary at any time, upon such notice and in such manner as he deems proper, but only after reasonable opportunity to the packer to be heard, may amend or set aside the report or order, in whole or in part.

Service of process, etc.  
Vol. 38, p. 721.

(d) Complaints, orders, and other processes of the Secretary under this section may be served in the same manner as provided in section 5 of the Act entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914.

Order conclusive, unless petition filed in circuit court of appeals to set aside, etc.

SEC. 204. (a) An order made under section 203 shall be final and conclusive unless within thirty days after service the packer appeals to the circuit court of appeals for the circuit in which he has his principal place of business, by filing with the clerk of such court a written petition praying that the Secretary's order be set aside or modified in the manner stated in the petition, together with a bond in such sum as the court may determine, conditioned that such packer will pay the costs of the proceedings if the court so directs.

Record, etc., to be certified to court.

(b) The clerk of the court shall immediately cause a copy of the petition to be delivered to the Secretary, and the Secretary shall forthwith prepare, certify, and file in the court a full and accurate transcript of the record in such proceedings, including the complaint, the evidence, and the report and order. If before such transcript is filed the Secretary amends or sets aside his report or order, in whole or in part, the petitioner may amend the petition within such time as the court may determine, on notice to the Secretary.

Amendment, etc., before filing.

Temporary injunction until appeal determined.

(c) At any time after such transcript is filed the court, on application of the Secretary, may issue a temporary injunction restraining, to the extent it deems proper, the packer and his officers, directors, agents, and employees, from violating any of the provisions of the order pending the final determination of the appeal.

Evidence admitted.

(d) The evidence so taken or admitted, duly certified and filed as aforesaid as a part of the record, shall be considered by the court as the evidence in the case. The proceedings in such cases in the circuit court of appeals shall be made a preferred cause and shall be expedited in every way.

Expediting directed.

Authority of court.

(e) The court may affirm, modify, or set aside the order of the Secretary.

Reopening of hearing on order of court.

(f) If the court determines that the just and proper disposition of the case requires the taking of additional evidence, the court shall order the hearing to be reopened for the taking of such evidence, in such manner and upon such terms and conditions as the court may deem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings and his recommendations, if any, for the modification or setting aside of his order, with the return of such additional evidence.

Modification of findings, etc.

Injunction by court.

(g) If the circuit court of appeals affirms or modifies the order of the Secretary, its decree shall operate as an injunction to restrain the packer, and his officers, directors, agents, and employees from violating the provisions of such order or such order as modified.

Exclusive jurisdiction of court.

(h) The circuit court of appeals shall have exclusive jurisdiction to review, and to affirm, set aside, or modify, such orders of the Secretary, and the decree of such court shall be final except that it shall be subject to review by the Supreme Court of the United States upon certiorari, as provided in section 240 of the Judicial Code, if such writ is duly applied for within sixty days after entry of the decree. The issue of such writ shall not operate as a stay of the decree of the circuit court of appeals, in so far as such decree operates as an injunction, unless so ordered by the Supreme Court.

Review by Supreme Court.  
Vol. 38, p. 1157.  
Not to stay decree.

(i) For the purposes of this title the term "circuit court of appeals," in case the principal place of business of the packer is in the District of Columbia, means the Court of Appeals of the District of Columbia.

Jurisdiction of District of Columbia Court of Appeals.

Sec. 205. Any packer, or any officer, director, agent, or employee of a packer, who fails to obey any order of the Secretary issued under the provisions of section 203, or such order as modified—

Punishment for not obeying order.

(1) After the expiration of the time allowed for filing a petition in the circuit court of appeals to set aside or modify such order, if no such petition has been filed within such time; or

If no appeal filed.

(2) After the expiration of the time allowed for applying for a writ of certiorari, if such order, or such order as modified, has been sustained by the circuit court of appeals and no such writ has been applied for within such time; or

If writ of certiorari not applied for.

(3) After such order, or such order as modified, has been sustained by the courts as provided in section 204: shall on conviction be fined not less than \$500 nor more than \$10,000, or imprisoned for not less than six months nor more than five years, or both. Each day during which such failure continues shall be deemed a separate offense.

If order sustained by courts.

Penalty.

### TITLE III.—STOCKYARDS.

Stockyards.

Sec. 301. When used in this Act—

Terms construed.

(a) The term "stockyard owner" means any person engaged in the business of conducting or operating a stockyard;

"Stockyard owner."

(b) The term "stockyard services" means services or facilities furnished at a stockyard in connection with the receiving, buying or selling on a commission basis or otherwise, marketing, feeding, watering, holding, delivery, shipment, weighing, or handling, in commerce, of live stock;

"Stockyard services."

(c) The term "market agency" means any person engaged in the business of (1) buying or selling in commerce live stock at a stockyard on a commission basis or (2) furnishing stockyard services; and

"Market agency."

(d) The term "dealer" means any person, not a market agency, engaged in the business of buying or selling in commerce live stock at a stockyard, either on his own account or as the employee or agent of the vendor or purchaser.

"Dealer."

Sec. 302. (a) When used in this title the term "stockyard" means any place, establishment, or facility commonly known as stockyards, conducted or operated for compensation or profit as a public market, consisting of pens, or other inclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce. This title shall not apply to a stockyard of which the area normally available for handling live stock, exclusive of runs, alleys, or passage ways, is less than twenty thousand square feet.

"Stockyard."

Public character, etc., specified.

(b) The Secretary shall from time to time ascertain, after such inquiry as he deems necessary, the stockyards which come within the foregoing definition, and shall give notice thereof to the stockyard owners concerned, and give public notice thereof by posting copies of such notice in the stockyard, and in such other manner as he may determine. After the giving of such notice to the stockyard owner and to the public, the stockyard shall remain subject to the provisions of this title until like notice is given by the Secretary that such stockyard no longer comes within the foregoing definition.

Smaller areas not included.

Public notice to be given of places affected.

Subject thereupon to provisions of Act.

Sec. 303. After the expiration of thirty days after the Secretary has given public notice that any stockyard is within the definition of section 302, by posting copies of such notice in the stockyard, no person shall carry on the business of a market agency or dealer at such stockyard unless he has registered with the Secretary under such rules and regulations as the Secretary may prescribe, his name and

Market agencies or dealers to register business, etc.

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|---|---|
| Penalty for violations.                                       | address, the character of business in which he is engaged and the kinds of stockyard services, if any, which he furnishes at such stockyard. Whoever violates the provisions of this section shall be liable to a penalty of not more than \$500 for each such offense and not more than \$25 for each day it continues, which shall accrue to the United States and may be recovered in a civil action brought by the United States.   |
| Recovery.   | SEC. 304. It shall be the duty of every stockyard owner and market agency to furnish upon reasonable request, without discrimination, reasonable stockyard services at such stockyard.  |
| Services to be furnished without discrimination.              | SEC. 305. All rates or charges made for any stockyard services furnished at a stockyard by a stockyard owner or market agency shall be just, reasonable, and nondiscriminatory, and any unjust, unreasonable, or discriminatory rate or charge is prohibited and declared to be unlawful.   |
| All rates to be just, reasonable, etc.                        | SEC. 306. (a) Within sixty days after the Secretary has given public notice that a stockyard is within the definition of section 302, by posting copies of such notice in the stockyard, the stockyard owner and every market agency at such stockyard shall file with the Secretary, and print and keep open to public inspection at the stockyard, schedules showing all rates and charges for the stockyard services furnished by such person at such stockyard. If a market agency commences business at the stockyard after the expiration of such sixty days such schedules must be filed before any stockyard services are furnished.  |
| Schedules of rates to be filed by owners and market agencies. | (b) Such schedules shall plainly state all such rates and charges in such detail as the Secretary may require, and shall also state any rules or regulations which in any manner change, affect, or determine any part or the aggregate of such rates or charges, or the value of the stockyard services furnished. The Secretary may determine and prescribe the form and manner in which such schedules shall be prepared, arranged, and posted, and may from time to time make such changes in respect thereto as may be found expedient.  |
| Details required.   | (c) No changes shall be made in the rates or charges so filed and published, except after ten days' notice to the Secretary and to the public filed and published as aforesaid, which shall plainly state the changes proposed to be made and the time such changes will go into effect; but the Secretary may, for good cause shown, allow changes on less than ten days' notice, or modify the requirements of this section in respect to publishing, posting, and filing of schedules, either in particular instances or by a general order applicable to special or peculiar circumstances or conditions.   |
| Forms, etc., to be prescribed.                                | (d) The Secretary may reject and refuse to file any schedule tendered for filing which does not provide and give lawful notice of its effective date, and any schedule so rejected by the Secretary shall be void and its use shall be unlawful.  |
| No changes allowed without ten days' notice.                  | (e) Whenever there is filed with the Secretary any schedule, stating a new rate or charge, or a new regulation or practice affecting any rate or charge, the Secretary may either upon complaint or upon his own initiative without complaint, at once, and if he so orders without answer or other formal pleading by the person filing such schedule, but upon reasonable notice, enter upon a hearing concerning the lawfulness of such rate, charge, regulation, or practice, and pending such hearing and decision thereon the Secretary, upon filing with such schedule and delivering to the person filing it a statement in writing of his reasons for such suspension, may suspend the operation of such schedule and defer the use of such rate, charge, regulation, or practice, but not for a longer period than thirty days beyond the time when it would otherwise go into effect; and after full hearing, whether completed before or after the rate, charge, regulation, or prac- |
| Modifications allowed by Secretary.                           |   |
| Use of rejected schedules unlawful.                           |   |
| Hearings on proposed new rates, etc.                          |   |
| Suspension pending decision.                                  |   |
| Issue of order.   |   |

tice goes into effect, the Secretary may make such order with reference thereto as would be proper in a proceeding initiated after it had become effective. If any such hearing can not be concluded within the period of suspension the Secretary may extend the time of suspension for a further period not exceeding thirty days, and if the proceeding has not been concluded and an order made at the expiration of such thirty days, the proposed change of rate, charge, regulation, or practice shall go into effect at the end of such period.

Extension of suspension.

Changes allowed if hearing not then concluded.

Prohibitions.

Carrying on business without filing rates, etc.

Charging other than specified rates, etc.

Refunding rates, except by cooperative associations.

Extending other than services in schedules.

Penalty for noncompliance with orders, etc.

Recovery.

Punishment for willful violations.

Stockyard services to be just, reasonable, and nondiscriminatory.

Unjust, etc., unlawful.

Liability to persons injured by violations hereof.

Enforcement.

Violations of orders.

Complaints to be filed with Secretary.

Defendant to be called upon to answer.

Liability relieved on reparation.

(f) After the expiration of the sixty days referred to in subdivision (a) no person shall carry on the business of a stockyard owner or market agency unless the rates and charges for the stockyard services furnished at the stockyard have been filed and published in accordance with this section and the orders of the Secretary made thereunder; nor charge, demand, or collect a greater or less or different compensation for such services than the rates and charges specified in the schedules filed and in effect at the time; nor refund or remit in any manner any portion of the rates or charges so specified (but this shall not prohibit a cooperative association of producers from bona fide returning to its members, on a patronage basis, its excess earnings on their live stock, subject to such regulations as the Secretary may prescribe); nor extend to any person at such stockyard any stockyard services except such as are specified in such schedules.

(g) Whoever fails to comply with the provisions of this section or of any regulation or order of the Secretary made thereunder shall be liable to a penalty of not more than \$500 for each such offense, and not more than \$25 for each day it continues, which shall accrue to the United States and may be recovered in a civil action brought by the United States.

(h) Whoever willfully fails to comply with the provisions of this section or of any regulation or order of the Secretary made thereunder shall on conviction be fined not more than \$1,000, or imprisoned not more than one year, or both.

SEC. 307. It shall be the duty of every stockyard owner and market agency to establish, observe, and enforce just, reasonable, and nondiscriminatory regulations and practices in respect to the furnishing of stockyard services, and every unjust, unreasonable, or discriminatory regulation or practice is prohibited and declared to be unlawful.

SEC. 308. (a) If any stockyard owner, market agency, or dealer, violates any of the provisions of sections 304, 305, 306, or 307, or of any order of the Secretary made under this title, he shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of such violation.

(b) Such liability may be enforced either (1) by complaint to the Secretary as provided in section 309, or (2) by suit in any district court of the United States of competent jurisdiction; but this section shall not in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this Act are in addition to such remedies.

SEC. 309. (a) Any person complaining of anything done or omitted to be done by any stockyard owner, market agency, or dealer (hereinafter in this section referred to as the "defendant") in violation of the provisions of sections 304, 305, 306, or 307, or of an order of the Secretary made under this title, may, at any time within ninety days after the cause of action accrues, apply to the Secretary by petition which shall briefly state the facts, whereupon the complaint thus made shall be forwarded by the Secretary to the defendant, who shall be called upon to satisfy the complaint, or to answer it in writing, within a reasonable time to be specified by the Secretary. If the defendant within the time specified makes reparation for the injury



|  |   |
|--|---|
| Investigation on failure, etc.   | alleged to be done he shall be relieved of liability to the complainant only for the particular violation thus complained of. If the defendant does not satisfy the complaint within the time specified, or there appears to be any reasonable ground for investigating the complaint, it shall be the duty of the Secretary to investigate the matters complained of in such manner and by such means as he deems proper.  |
| Investigations on complaints by State, etc., agencies.                                   | (b) The Secretary, at the request of the live-stock commissioner, Board of Agriculture, or other agency of a State or Territory, having jurisdiction over stockyards in such State or Territory, shall investigate any complaint forwarded by such agency in like manner and with the same authority and powers as in the case of a complaint made under subdivision (a).   |
| Investigations by Secretary on his own motion.   | (c) The Secretary may at any time institute an inquiry on his own motion, in any case and as to any matter or thing concerning which a complaint is authorized to be made to or before the Secretary, by any provision of this title, or concerning which any question may arise under any of the provisions of this title, or relating to the enforcement of any of the provisions of this title. The Secretary shall have the same power and authority to proceed with any inquiry instituted upon his own motion as though he had been appealed to by petition, including the power to make and enforce any order or orders in the case or relating to the matter or thing concerning which the inquiry is had, except orders for the payment of money.  |
| Authority conferred.   | (d) No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.   |
| Direct damage not required.  | (e) If after hearing on a complaint the Secretary determines that the complainant is entitled to an award of damages, the Secretary shall make an order directing the defendant to pay to the complainant the sum to which he is entitled on or before a day named.   |
| Award to complainant.  | (f) If the defendant does not comply with an order for the payment of money within the time limit in such order, the complainant, or any person for whose benefit such order was made, may within one year of the date of the order file in the district court of the United States for the district in which he resides or in which is located the principal place of business of the defendant or in any State court having general jurisdiction of the parties, a petition setting forth briefly the causes for which he claims damages and the order of the Secretary in the premises. Such suit in the district court shall proceed in all respects like other civil suits for damages except that the findings and orders of the Secretary shall be prima facie evidence of the facts therein stated, and the petitioner shall not be liable for costs in the district court nor for costs at any subsequent stage of the proceedings unless they accrue upon his appeal. If the petitioner finally prevails, he shall be allowed a reasonable attorney's fee to be taxed and collected as a part of the costs of the suit. |
| Institution of suit on failure of defendant to comply with order.                        | SEC. 310. Whenever after full hearing upon a complaint made as provided in section 309, or after full hearing under an order for investigation and hearing made by the Secretary on his own initiative, either in extension of any pending complaint or without any complaint whatever, the Secretary is of the opinion that any rate, charge, regulation, or practice of a stockyard owner or market agency, for or in connection with the furnishing of stockyard services, is or will be unjust, unreasonable, or discriminatory, the Secretary—   |
| Procedure.   | (a) May determine and prescribe what will be the just and reasonable rate or charge, or rates or charges, to be thereafter observed in such case, or the maximum or minimum, or maximum and minimum, to be charged, and what regulation or practice is or will be just, reasonable, and nondiscriminatory to be thereafter followed; and  |
| Authority of Secretary, if charges, etc., found unjust, unreasonable, or discriminatory. | (b) May make an order that such owner or operator (1) shall cease and desist from such violation to the extent to which the Secretary finds that it does or will exist; (2) shall not thereafter publish, de-   |
| To determine rates, etc., to be observed.  |   |
| Order to cease from violations.  |   |
| Charge, etc., none but prescribed rates.   |   |

mand, or collect any rate or charge for the furnishing of stockyard services other than the rate or charge so prescribed, or in excess of the maximum or less than the minimum so prescribed, as the case may be; and (3) shall conform to and observe the regulation or practice so prescribed.

Conform to prescribed regulations.

Live stock not in commerce.  
Rates, etc., to be prescribed when practices as to, discriminate for intrastate, against interstate commerce.

Rates, etc., to be observed, irrespective of State laws, etc.

Live stock at stockyards.  
Unfair, etc., practices as to, unlawful.

Order to cease from violations to be issued.

Taking effect of orders other than for money.

Penalty for failing to obey order.

Recovery.

Prosecution by district attorneys.

Enforcement of orders.  
Suit in district court for, other than for money.

SEC. 311. Whenever in any investigation under the provisions of this title, or in any investigation instituted by petition of the stockyard owner or market agency concerned, which petition is hereby authorized to be filed, the Secretary after full hearing finds that any rate, charge, regulation, or practice of any stockyard owner or market agency, for or in connection with the buying or selling on a commission basis or otherwise, receiving, marketing, feeding, holding, delivery, shipment, weighing, or handling, not in commerce, of live stock, causes any undue or unreasonable advantage, prejudice, or preference as between persons or localities in intrastate commerce in live stock on the one hand and interstate or foreign commerce in live stock on the other hand, or any undue, unjust, or unreasonable discrimination against interstate or foreign commerce in live stock, which is hereby forbidden and declared to be unlawful, the Secretary shall prescribe the rate, charge, regulation, or practice thereafter to be observed, in such manner as, in his judgment, will remove such advantage, preference, or discrimination: Such rates, charges, regulations, or practices shall be observed while in effect by the stockyard owners or market agencies parties to such proceeding affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding.

SEC. 312. (a) It shall be unlawful for any stockyard owner, market agency, or dealer to engage in or use any unfair, unjustly discriminatory, or deceptive practice or device in connection with the receiving, marketing, buying or selling on a commission basis or otherwise, feeding, watering, holding, delivery, shipment, weighing or handling, in commerce at a stockyard, of live stock.

(b) Whenever complaint is made to the Secretary by any person, or whenever the Secretary has reason to believe, that any stockyard owner, market agency, or dealer is violating the provisions of subdivision (a), the Secretary after notice and full hearing may make an order that he shall cease and desist from continuing such violation to the extent that the Secretary finds that it does or will exist.

SEC. 313. Except as otherwise provided in this Act, all orders of the Secretary under this title, other than orders for the payment of money, shall take effect within such reasonable time, not less than five days, as is prescribed in the order, and shall continue in force until his further order, or for a specified period of time, according as is prescribed in the order, unless such order is suspended or modified or set aside by the Secretary or is suspended or set aside by a court of competent jurisdiction.

SEC. 314. (a) Any stockyard owner, market agency, or dealer who knowingly fails to obey any order made under the provisions of sections 310, 311, or 312 shall forfeit to the United States the sum of \$500 for each offense. Each distinct violation shall be a separate offense, and in case of a continuing violation each day shall be deemed a separate offense. Such forfeiture shall be recoverable in a civil suit in the name of the United States.

(b) It shall be the duty of the various district attorneys, under the direction of the Attorney General, to prosecute for the recovery of forfeitures. The costs and expense of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

SEC. 315. If any stockyard owner, market agency, or dealer fails to obey any order of the Secretary other than for the payment of money while the same is in effect, the Secretary, or any party injured

Issue of injunction,  
etc.

thereby, or the United States by its Attorney General, may apply to the district court for the district in which such person has his principal place of business for the enforcement of such order. If after hearing the court determines that the order was lawfully made and duly served and that such person is in disobedience of the same, the court shall enforce obedience to such order by a writ of injunction or other proper process, mandatory or otherwise, to restrain such person, his officers, agents, or representatives from further disobedience of such order or to enjoin upon him or them obedience to the same.

Provisions for sus-  
pending orders of In-  
terstate Commerce  
Commission applica-  
ble to Secretary's or-  
ders.

SEC. 316. For the purposes of this title, the provisions of all laws relating to the suspending or restraining the enforcement, operation, or execution of, or the setting aside in whole or in part the orders of the Interstate Commerce Commission, are made applicable to the jurisdiction, powers, and duties of the Secretary in enforcing the provisions of this title, and to any person subject to the provisions of this title.

General provisions.

#### TITLE IV.—GENERAL PROVISIONS.

Accounts, etc., to be  
kept.

SEC. 401. Every packer, stockyard owner, market agency, and dealer shall keep such accounts, records, and memoranda as fully and correctly disclose all transactions involved in his business, including the true ownership of such business by stockholding or otherwise. Whenever the Secretary finds that the accounts, records, and memoranda of any such person do not fully and correctly disclose all transactions involved in his business, the Secretary may prescribe the manner and form in which such accounts, records, and memoranda shall be kept, and thereafter any such person who fails to keep such accounts, records, and memoranda in the manner and form prescribed or approved by the Secretary shall upon conviction be fined not more than \$5,000, or imprisoned not more than three years, or both.

Enforcement powers  
of Federal Trade Com-  
mission made appli-  
cable hereto.  
Vol. 33, pp. 721-723.

SEC. 402. For the efficient execution of the provisions of this Act, and in order to provide information for the use of Congress, the provisions (including penalties) of sections 6, 8, 9, and 10 of the Act entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914, are made applicable to the jurisdiction, powers, and duties of the Secretary in enforcing the provisions of this Act and to any person subject to the provisions of this Act, whether or not a corporation. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this Act in any part of the United States.

Agents authorized.

Principals responsi-  
ble for acts of agents,  
etc.

SEC. 403. When construing and enforcing the provisions of this Act, the act, omission, or failure of any agent, officer, or other person acting for or employed by any packer, stockyard owner, market agency, or dealer, within the scope of his employment or office, shall in every case also be deemed the act, omission, or failure of such packer, stockyard owner, market agency, or dealer, as well as that of such agent, officer, or other person.

Attorney General to  
order court proceed-  
ings.

SEC. 404. The Secretary may report any violation of this Act to the Attorney General of the United States, who shall cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay.

Laws not affected.

SEC. 405. Nothing contained in this Act, except as otherwise provided herein, shall be construed—

Antitrust acts.

Vol. 26, p. 209.

Vol. 33, p. 730.

(a) To prevent or interfere with the enforcement of, or the procedure under, the provisions of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, the Act entitled "An Act to supplement

existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, the Interstate Commerce Act as amended, the Act entitled "An Act to promote export trade, and for other purposes," approved April 10, 1918, or sections 73 to 77, inclusive, of the Act of August 27, 1894, entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes," as amended by the Act entitled "An Act to amend sections seventy-three and seventy-six of the Act of August twenty-seventh, eighteen hundred and ninety-four, entitled 'An Act to reduce taxation, to provide revenue for the Government, and for other purposes,'" approved February 12, 1913, or

(b) To alter, modify, or repeal such Acts or any part or parts thereof, or

(c) To prevent or interfere with any investigation, proceeding, or prosecution begun and pending at the time this Act becomes effective.

SEC. 406. (a) Nothing in this Act shall affect the power or jurisdiction of the Interstate Commerce Commission, nor confer upon the Secretary concurrent power or jurisdiction over any matter within the power or jurisdiction of such Commission.

(b) On and after the enactment of this Act, and so long as it remains in effect, the Federal Trade Commission shall have no power or jurisdiction so far as relating to any matter which by this Act is made subject to the jurisdiction of the Secretary, except in cases in which, before the enactment of this Act, complaint has been served under section 5 of the Act entitled "An Act to create a Federal Trade Commission, to define its power and duties, and for other purposes," approved September 26, 1914, or under section 11 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, and except when the Secretary of Agriculture, in the exercise of his duties hereunder, shall request of the said Federal Trade Commission that it make investigations and report in any case.

SEC. 407. The Secretary may make such rules, regulations and orders as may be necessary to carry out the provisions of this Act and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency or political subdivision thereof, or any person; and shall have the power to appoint, remove, and fix the compensation of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this Act in the District of Columbia and elsewhere, and as may be appropriated for by Congress, and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for such purpose.

SEC. 408. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Approved, August 15, 1921.

CHAP. 65.—Joint Resolution Authorizing the appointment of a commission to confer with the Dominion Government of the provincial governments thereof as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood and paper therefrom to the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the

Interstate Commerce laws.

Vol. 24, p. 376; Vol. 41, p. 456.

Export trade law.

Vol. 40, p. 516.

Antitrust applications to imports.

Vol. 23, p. 570.

Vol. 37, p. 667.

Modifications, etc., thereof.

Pending investigations, etc.

Interstate Commerce Commission powers not affected.

Federal Trade Commission.

No jurisdiction of, over matters made subject to Secretary.

Pending cases excepted.

Vol. 33, p. 719.

Vol. 33, p. 734.

To make investigations on request of Secretary.

Rules, etc., to be prescribed.

Authority for employees, expenses, etc.

Appropriations authorized.

Post, p. 194.

Invalidity of any provision, etc., not to affect remainder of Act.

August 15, 1921.

[S. J. Res. 36.]

[Pub. Res., No. 14.]

Pulp wood and paper.

Commission to confer with Canada as to restrictions on exporting, etc.

Report action to secure cancellation, etc., if no agreement reached.

Appropriation for expenses.

*Proviso.*  
No salary.

United States be, and he is hereby, authorized to appoint a commission of five persons and, by appropriate authority, to confer on this commission the power, on behalf of the administration and the Congress, to negotiate with said Dominion Government, also with the provincial governments thereof, in respect to the cancellation of said restrictive orders in council, and as well any other restrictions on the exportation of pulp wood and newsprint and other printing paper composed of mechanical and chemical products of pulp and pulp wood, from the Dominion of Canada to the United States.

SEC. 2. That in the event the cancellation of said restrictive orders in council can not be agreed to by mutual arrangement of the Governments of the United States of America and the Dominion of Canada, that the commission shall investigate, consider, and report to the President, on or before December 1, 1921, what action in its opinion should be taken by the Congress that will aid in securing the cancellation of the restrictive orders in council, so that they may not continue to militate against the interests of the people of the United States.

SEC. 3. That for the necessary expenses of said commission the sum of \$10,000 be, and it is hereby, appropriated from the moneys in the Treasury of the United States not otherwise appropriated: *Provided, however*, That the members of the commission shall serve without compensation.

Approved, August 15, 1921.

August 15, 1921.  
[H. J. Res. 112.]  
[Pub. Res., No. 15.]

**CHAP. 66.**—Joint Resolution Authorizing the erection on public grounds in the city of Washington, District of Columbia, of a memorial to employees of the United States Department of Agriculture who died in the war with Germany.

Department of Agriculture.

Memorial to former employees who died in World War permitted in grounds of.

*Proviso.*  
Approval of design, etc.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of Agriculture be, and he is hereby, authorized to grant permission to the Department of Agriculture war memorial committee for the erection in the Department of Agriculture grounds, Washington, District of Columbia, of a memorial to the former employees of the said United States Department of Agriculture who lost their lives while in the military or naval service in the war with Germany: *Provided*, That the site chosen and the design of the memorial shall be approved by the Joint Committee on the Library with the advice and recommendations of the Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of this memorial.

Approved, August 15, 1921.

August 16, 1921.  
[H. R. 7208.]  
[Public, No. 52.]

Roanoke River.  
Time extended for bridging, in Halifax County, N. C.  
Vol. 40, p. 1272, amended.

Amendment.

**CHAP. 67.**—An Act To extend the time for the construction of a bridge across the Roanoke River in Halifax County, North Carolina.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of a bridge authorized by Act of Congress approved March 1, 1919, to be built by the county of Halifax, North Carolina, across Roanoke River between Hills Ferry and the ferry near the town of Halifax, in said county and State, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 16, 1921.

**CHAP. 68.**—An Act To authorize the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at the Newport-Priest River Road crossing, Idaho.

August 16, 1921.  
[H. R. 7523.]  
[Public, No. 53.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Peter Young, of Priest River, Idaho, his legal representatives or assigns, is hereby authorized to construct, maintain, and operate a bridge across the Pend d'Oreille River in Bonner County, Idaho, at a point suitable to the interests of navigation, and at the Newport-Priest River Road crossing, Idaho, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Pend d'Oreille River.  
Peter Young may  
bridge, in Bonner  
County, Idaho.

Construction.  
Vol. 34, p. 34.

Amendment.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 16, 1921.

**CHAP. 70.**—An Act To make a preliminary survey of the Calaveras River in California with a view to the control of its floods.

August 18, 1921.  
[H. R. 1200.]  
[Public, No. 54.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary survey to be made of the Calaveras River in California with a view to the control of its floods, in accordance with provisions of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and the Sacramento River, California, and for other purposes," approved March 1, 1917.

Calaveras River,  
Calif.  
Survey, etc., of, for  
flood control.  
Vol. 30, p. 948.

Approved, August 18, 1921.

**CHAP. 71.**—An Act Granting the consent of Congress to the Huntington and Ohio Bridge Company to construct, maintain, and operate a highway and street railway bridge across the Ohio River, between the city of Huntington, West Virginia, and a point opposite in the State of Ohio.

August 18, 1921.  
[S. 1924.]  
[Public, No. 55.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Huntington and Ohio Bridge Company, its successors and assigns, to construct, maintain, and operate a highway and street railway bridge and approaches thereto, across the Ohio River, at a point suitable to the interests of navigation, one end of said bridge being in the city of Huntington, West Virginia, and the other end at a point opposite said city of Huntington, in the State of Ohio, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Ohio River.  
Huntington and  
Ohio Bridge Company  
may bridge, Hunting-  
ton, W. Va.

Construction.  
Vol. 34, p. 34.

Amendment.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 18, 1921.

**CHAP. 72.**—An Act To permit a compact or agreement between the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, respecting the disposition and apportionment of the waters of the Colorado River, and for other purposes.

August 19, 1921.  
[H. R. 6877.]  
[Public, No. 56.]

Whereas the Colorado River and its several tributaries rise within and flow through or from the boundaries between the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming; and

Colorado River.  
Preamble.

Whereas the territory included within the drainage area of the said stream and its tributaries is largely arid and in small part irrigated, and the present and future development necessities and general welfare of each of said States and of the United States require the further use of the waters of said streams for irrigation and other beneficial purposes, and that future litigation and conflict respecting the use and distribution of said waters should be avoided and settled by compact between said States; and

Whereas the said States, by appropriate legislation, have authorized the governors thereof to appoint commissioners to represent said States for the purpose of entering into a compact or agreement between said States respecting the future utilization and disposition of the waters of the Colorado River and of the streams tributary thereto; and

Whereas the governors of said several States have named and appointed their respective commissioners for the purposes aforesaid, and have presented their resolution to the President of the United States requesting the appointment of a representative on behalf of the United States to participate in said negotiations and to represent the interests of the United States: Now, therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That consent of Congress is hereby given to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming to negotiate and enter into a compact or agreement not later than January 1, 1923, providing for an equitable division and apportionment among said States of the water supply of the Colorado River and of the streams tributary thereto, upon condition that a suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations, as the representative of and for the protection of the interests of the United States, and shall make report to Congress of the proceedings and of any compact or agreement entered into, and the sum of \$10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided*, That any such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislature of each of said States and by the Congress of the United States.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 19, 1921.

August 22, 1921.

[S. 1794.]

[Public, No. 57.]

CHAP. 73.—An Act To authorize the Secretary of War to release the Kansas City and Memphis Railroad and Bridge Company from reconstructing its highway and approaches across its bridge at Memphis, Tennessee.

Mississippi River.  
Kansas City and  
Memphis Railway and  
Bridge Company re-  
leased from recon-  
structing approaches to  
bridge over, at Mem-  
phis, Tenn.  
Vol. 25, p. 62; Vol. 28,  
p. 543; Vol. 30, p. 728.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized and empowered to release the Kansas City and Memphis Railway and Bridge Company, a corporation, from the duty now imposed upon it by the Act entitled "An Act to authorize the construction of a bridge across the Mississippi River at Memphis, Tennessee," approved April 24, 1888, and all Acts amendatory thereof, to maintain approaches to its bridge at Memphis, Tennessee, and a way over and across said bridge for wagons and other vehicles, animals, and foot passengers, upon its payment to the road fund of Crittenden County, Arkansas, the sum of \$12,500.

SEC. 2. That upon the compliance by the said Kansas City and Memphis Railway and Bridge Company, a corporation aforesaid,

Condition.

Maintenance of wag-  
on, etc., bridge dis-  
pensated with.

with the provisions of section 1 of this Act the provision hereof shall take effect, and for that purpose an Act entitled "An Act to authorize the construction of a bridge across the Mississippi River at Memphis, Tennessee," approved April 24, 1888, and all Acts amendatory thereof are hereby so amended as to relieve said company of the necessity of maintaining said approaches to and said passageway across said bridge for wagons and other vehicles, animals, and foot passengers.

SEC. 3. That all laws and parts of laws in conflict herewith are hereby repealed. Conflicting laws repealed.

Approved, August 22, 1921.

CHAP. 74.—An Act Granting the consent of Congress to Old Trail's Bridge Company to construct a bridge across the Missouri River.

August 22, 1921.

[S. 2201.]

[Public, No. 55.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to Old Trail's Bridge Company (a Missouri corporation) and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at the city of Boonville, Missouri, in the county of Cooper, in the State of Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Missouri River.  
Old Trail's Bridge  
Company may bridge,  
Boonville, Mo.

Construction.  
Vol. 24, p. 84.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 22, 1921.

CHAP. 75.—Joint Resolution Permitting the admission of certain aliens who sailed from foreign ports on or before June 8, 1921, and for other purposes.

August 22, 1921.

[H. J. Res. 153.]

[Pub. Res., No. 16.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That aliens of any nationality who are brought to the United States on vessels which departed from foreign ports on or before June 8, 1921, destined for the United States, and who apply in the month of June, 1921, for admission to the United States, may, if otherwise admissible, be admitted to the United States although the limit prescribed by section 5 of the Act entitled "An Act to limit the immigration of aliens into the United States," approved May 19, 1921, may have been reached before such application for admission. The number of aliens of any nationality so admitted shall be deducted, under such regulations as the Secretary of Labor may prescribe, from the number of aliens of that nationality admissible, during the fiscal year beginning July 1, 1921, under the provisions of such Act of May 19, 1921, but nothing in this resolution shall prohibit the admission of otherwise admissible aliens of any nationality during the month of July, 1921, up to 20 per centum of the number of aliens of that nationality admissible during such fiscal year under the provisions of such Act of May 19, 1921, as heretofore promulgated.

Aliens.  
Admission during  
June, 1921, beyond  
prescribed limit, if  
leaving abroad on or  
before June 8.

*A note,* p. 7.

Deducted from num-  
ber of nationality al-  
lowed for fiscal year  
1922.

Admissions allowed  
during July, 1921.

*A note,* pp. 5-7.

Approved, August 22, 1921.

CHAP. 76.—An Act Providing for a grant of land to the State of Washington for a biological station and general research purposes.

August 22, 1921.

[H. R. 1475.]

[Public, No. 59.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the title and fee to

Washington.



San Juan Island  
military reservation  
granted to State of,  
for biological station,  
etc.

Government use re-  
tained.

Proviso.  
Nonliability to State,  
etc.

Reversion for non-  
user.

portions of sections one, two, eleven, and twelve of township thirty-five north, of range three west of the Willamette meridian, being a military reservation at San Juan Island, in the county of San Juan, State of Washington, containing about four hundred and eighty-four acres, be, and the same are hereby, granted, subject to the conditions and reversion hereinafter provided for, to the State of Washington for the use of the University of Washington, for the purpose of a biological station and for general university research purposes; subject, however, to the right of the United States to at any and all time and in any manner assume control of, hold, use, and occupy without license, consent, or leave from said State or university any or all of said land for any and all military, naval, or lighthouse purposes, freed from any conveyances, charges, encumbrances, or liens made, created, permitted, or sanctioned thereon by said State or university: *Provided*, That the United States shall not be or become liable for any damages or compensation whatever to the said State of Washington or the University of Washington for any future use by the Government of any or all of the above-described land for any of the above-mentioned purposes: *Provided further*, That if said lands shall not be used for the purposes hereinabove mentioned the same or such parts thereof not so used shall revert to the United States.

Approved, August 23, 1921.

August 23, 1921.  
[S. J. Res. 88.]  
[Pub. Res., No. 17.]

**CHAP. 77.**—Joint Resolution Granting consent of Congress to an agreement or compact entered into between the State of New York and the State of New Jersey for the creation of the Port of New York District and the establishment of the Port of New York Authority for the comprehensive development of the port of New York.

Port of New York  
Authority.  
Preamble.

Whereas commissioners duly appointed on the part of the State of New York and commissioners duly appointed on the part of the State of New Jersey for the creation of the Port of New York District and the establishment of the Port of New York Authority for the comprehensive development of the port of New York, pursuant to chapter 154, Laws of New York, 1921, and chapter 151, Laws of New Jersey, 1921, have executed certain articles, which are contained in the following, namely:

Whereas in the year 1834 the States of New York and New Jersey did enter into an agreement fixing and determining the rights and obligations of the two States in and about the waters between the two States, especially in and about the bay of New York and the Hudson River; and

Whereas since that time the commerce of the port of New York has greatly developed and increased and the territory in and around the port has become commercially one center or district; and

Whereas it is confidently believed that a better coordination of the terminal, transportation, and other facilities of commerce in, about, and through the port of New York will result in great economies, benefiting the Nation as well as the States of New York and New Jersey; and

Whereas the future development of such terminal, transportation, and other facilities of commerce will require the expenditure of large sums of money and the cordial cooperation of the States of New York and New Jersey in the encouragement of the investment of capital and in the formulation and execution of the necessary physical plans; and

Whereas such result can best be accomplished through the cooperation of the two States by and through a joint or common agency: Now, therefore,

The said States of New Jersey and New York do supplement and amend the existing agreement of 1884 in the following respects:

Port of New York—  
Continued.

ARTICLE 1. They agree to and pledge, each to the other, faithful cooperation in the future planning and development of the port of New York, holding in high trust for the benefit of the Nation the special blessings and natural advantages thereof.

Agreement of New  
York and New Jersey  
establishing.

ART. 2. To that end the two States do agree that there shall be created and they do hereby create a district to be known as the "Port of New York District" (for brevity hereinafter referred to as "the district"), which shall embrace the territory bounded and described as follows:

The district is included within the boundary lines located by connecting points of known latitude and longitude. The approximate courses and distances of the lines inclosing the district are recited in the description, but the district is determined by drawing lines through the points of known latitude and longitude. Beginning at a point A of latitude forty-one degrees and three minutes north and longitude seventy-three degrees and fifty-six minutes west, said point being about sixty-five hundredths of a mile west of the westerly bank of the Hudson River and about two and one-tenth miles northwest of the pier at Piermont, in the county of Rockland, State of New York; thence due south one and fifteen-hundredths miles more or less to a point B of latitude forty-one degrees and three minutes north and longitude seventy-three degrees and fifty-six minutes west, said point being about one and three-tenths miles northwest of the pier at Piermont, in the county of Rockland, State of New York; thence south fifty-six degrees and thirty-four minutes west six and twenty-six hundredths miles more or less to a point C of latitude forty-one degrees and no minutes north and longitude seventy-four degrees and two minutes west, said point being about seven-tenths of a mile north of the railroad station at Westwood, in the county of Bergen, State of New Jersey; thence south sixty-eight degrees and twenty-four minutes west nine and thirty-seven hundredths miles more or less to a point D of latitude forty degrees and fifty-seven minutes north and longitude seventy-four degrees and twelve minutes west, said point being about three miles northwest of the business center of the city of Paterson, in the county of Passaic, State of New Jersey; thence south forty-seven degrees and seventeen minutes west eleven and eighty-seven hundredths miles more or less to a point E of latitude forty degrees and fifty minutes north and longitude seventy-four degrees and twenty-two minutes west, said point being about four and five-tenths miles west of the borough of Caldwell, in the county of Morris, State of New Jersey; thence due south nine and twenty-hundredths miles more or less to a point F of latitude forty degrees and forty-two minutes north and longitude seventy-four degrees and twenty-two minutes west, said point being about one and two-tenths miles southwest of the passenger station of the Delaware, Lackawanna and Western Railroad in the city of Summit, in the county of Union, State of New Jersey; thence south forty-two degrees and twenty-four minutes west, seven and seventy-eight hundredths miles more or less to a point G of latitude forty degrees and thirty-seven minutes north and longitude seventy-four degrees and twenty-eight minutes west, said point being about two and two-tenths miles west of the business center of the city of Plainfield, in the county of Somerset, State of New Jersey; thence due south twelve and sixty-five hundredths miles more or less on a line passing about one mile west of the business

Port of New York—  
Continued.

center of the city of New Brunswick to a point H of latitude forty degrees and twenty-six minutes north and longitude seventy-four degrees and twenty-eight minutes west, said point being about four and five-tenths miles southwest of the city of New Brunswick, in the county of Middlesex, State of New Jersey; thence south seventy-seven degrees and forty-two minutes east ten and seventy-nine hundredths miles more or less to a point I of latitude forty degrees and twenty-four minutes north and longitude seventy-four degrees and sixteen minutes west, said point being about two miles southwest of the borough of Matawan, in the county of Middlesex, State of New Jersey; thence due east twenty-five and forty-eight hundredths miles more or less, crossing the county of Monmouth, State of New Jersey, and passing about one and four-tenths miles south of the pier of the Central Railroad of New Jersey at Atlantic Highlands to a point J of latitude forty degrees and twenty-four minutes north and longitude seventy-three degrees and forty-seven minutes west; said point being in the Atlantic Ocean; thence north eleven degrees fifty-eight minutes east twenty-one and sixteen-hundredths miles more or less to a point K, said point being about five miles east of the passenger station of the Long Island Railroad at Jamaica and about one and three-tenths miles east of the boundary line of the city of New York, in the county of Nassau, State of New York; thence in a northeasterly direction passing about one-half mile west of New Hyde Park and about one and one-tenth miles east of the shore of Manhasset Bay at Port Washington, crossing Long Island Sound to a point L, said point being the point of intersection of the boundary line between the States of New York and Connecticut and the meridian of seventy-three degrees, thirty-nine minutes, and thirty seconds west longitude, said point being also about a mile northeast of the village of Port Chester; thence northwesterly along the boundary line between the States of New York and Connecticut to a point M, said point being the point of intersection between said boundary line between the States of New York and Connecticut and the parallel of forty-one degrees and four minutes north latitude, said point also being about four and five-tenths miles northeast of the business center of the city of White Plains; thence due west along said parallel of forty-one degrees and four minutes north latitude, the line passing about two and one-half miles north of the business center of the city of White Plains and crossing the Hudson River to the Point A, the place of beginning.

The boundaries of said district may be changed from time to time by the action of the legislature of either State concurred in by the legislature of the other.

ART. 3. There is hereby created "The Port of New York Authority" (for brevity hereinafter referred to as the "port authority"), which shall be a body corporate and politic, having the powers and jurisdiction hereinafter enumerated, and such other and additional powers as shall be conferred upon it by the legislature of either State concurred in by the legislature of the other, or by Act or Acts of Congress, as hereinafter provided.

ART. 4. The port authority shall consist of six commissioners—three resident voters from the State of New York, two of whom shall be resident voters of the city of New York, and three resident voters from the State of New Jersey, two of whom shall be resident voters within the New Jersey portion of the district, the New York members to be chosen by the State of New York and the New Jersey members by the State of New Jersey in the

manner and for the terms fixed and determined from time to time by the legislature of each State, respectively, except as herein provided.

Port of New York--  
Continued.

Each commissioner may be removed or suspended from office as provided by the law of the State for which he shall be appointed.

ART. 5. The commissioners shall, for the purpose of doing business, constitute a board and may adopt suitable by-laws for its management.

ART. 6. The port authority shall constitute a body, both corporate and politic, with full power and authority to purchase, construct, lease, and/or operate any terminal or transportation facility within said district; and to make charges for the use thereof; and for any of such purposes to own, hold, lease, and/or operate real or personal property, to borrow money and secure the same by bonds or by mortgages upon any property held or to be held by it. No property now or hereafter vested in or held by either State, or by any county, city, borough, village, township, or other municipality, shall be taken by the port authority, without the authority or consent of such State, county, city, borough, village, township, or other municipality, nor shall anything herein impair or invalidate in any way any bonded indebtedness of such State, county, city, borough, village, township, or other municipality, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the revenues derived from any municipal property to a specific purpose.

The powers granted in this article shall not be exercised by the port authority until the legislatures of both States shall have approved of a comprehensive plan for the development of the port as hereinafter provided.

ART. 7. The port authority shall have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of either State concurred in by the legislature of the other. Unless and until otherwise provided, it shall make an annual report to the legislature of both States, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder. The port authority shall not pledge the credit of either State except by and with the authority of the legislature thereof.

ART. 8. Unless and until otherwise provided, all laws now or hereafter vesting jurisdiction or control in the public service commission, or the public utilities commission, or like body, within each State, respectively, shall apply to railroads and to any transportation, terminal, or other facility owned, operated, leased, or constructed by the port authority, with the same force and effect as if such railroad, or transportation, terminal, or other facility were owned, leased, operated, or constructed by a private corporation.

ART. 9. Nothing contained in this agreement shall impair the powers of any municipality to develop or improve port and terminal facilities.

ART. 10. The legislatures of the two States, prior to the signing of this agreement, or thereafter as soon as may be practicable, will adopt a plan or plans for the comprehensive development of the port of New York.

ART. 11. The port authority shall from time to time make plans for the development of said district, supplementary to or amendatory of any plan theretofore adopted, and when such

Port of New York—  
Continued.

plans are duly approved by the legislatures of the two States, they shall be binding upon both States with the same force and effect as if incorporated in this agreement.

ART. 12. The port authority may from time to time make recommendations to the legislatures of the two States or to the Congress of the United States, based upon study and analysis, for the better conduct of the commerce passing in and through the port of New York, the increase and improvement of transportation and terminal facilities therein, and the more economical and expeditious handling of such commerce.

ART. 13. The port authority may petition any interstate commerce commission (or like body), public service commission, public utilities commission (or like body), or any other Federal, municipal, State, or local authority, administrative, judicial, or legislative, having jurisdiction in the premises, after the adoption of the comprehensive plan as provided for in article 10 for the adoption and execution of any physical improvement, change in method, rate of transportation, system of handling freight, warehousing, docking, lightering, or transfer of freight, which, in the opinion of the port authority, may be designed to improve or better the handling of commerce in and through said district, or improve terminal and transportation facilities therein. It may intervene in any proceeding affecting the commerce of the port.

ART. 14. The port authority shall elect from its number a chairman, vice chairman, and may appoint such officers and employees as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

ART. 15. Unless and until the revenues from operations conducted by the port authority are adequate to meet all expenditures, the legislatures of the two States shall appropriate, in equal amounts, annually, for the salaries, office and other administrative expenses, such sum or sums as shall be recommended by the port authority and approved by the governors of the two States, but each State obligates itself hereunder only to the extent of \$100,000 in any one year.

ART. 16. Unless and until otherwise determined by the action of the legislatures of the two States, no action of the port authority shall be binding unless taken at a meeting at which at least two members from each State are present and unless four votes are cast therefor, two from each State. Each State reserves the right hereafter to provide by law for the exercise of a veto power by the governor thereof over any action of any commissioner appointed therefrom.

ART. 17. Unless and until otherwise determined by the action of the legislatures of the two States, the port authority shall not incur any obligations for salaries, office or other administrative expenses, within the provisions of article 15, prior to the making of appropriations adequate to meet the same.

ART. 18. The port authority is hereby authorized to make suitable rules and regulations not inconsistent with the Constitution of the United States or of either State, and subject to the exercise of the power of Congress, for the improvement of the conduct of navigation and commerce, which, when concurred in or authorized by the legislatures of both States, shall be binding and effective upon all persons and corporations affected thereby.

ART. 19. The two States shall provide penalties for violations of any order, rule, or regulation of the port authority, and for the manner of enforcing the same.

ART. 20. The territorial or boundary lines established by the agreement of 1834, or the jurisdiction of the two States established

thereby, shall not be changed except as herein specifically modified. Port of New York—  
Continued.

ART. 21. Either State may, by its legislature, withdraw from this agreement in the event that a plan for the comprehensive development of the port shall not have been adopted by both States on or prior to July 1, 1923; and when such withdrawal shall have been communicated to the governor of the other State by the State so withdrawing, this agreement shall be thereby abrogated.

ART. 22. DEFINITIONS.—The following words as herein used shall have the following meaning: "Transportation facility" shall include railroads, steam or electric, motor truck or other street or highway vehicles, tunnels, bridges, boats, ferries, car floats, lighters, tugs, floating elevators, barges, scows, or harbor craft of any kind, aircraft suitable for harbor service, and every kind of transportation facility now in use or hereafter designed for use for the transportation or carriage of persons or property. "Terminal facility" shall include wharves, piers, slips, ferries, docks, dry docks, bulkheads, dock walls, basins, car floats, float bridges, grain or other storage elevators, warehouses, cold storage, tracks, yards, sheds, switches, connections, overhead appliances, and every kind of terminal or storage facility now in use or hereafter designed for use for the handling, storage, loading, or unloading of freight at steamship, railroad, or freight terminals. "Railroads" shall include railways, extensions thereof, tunnels, subways, bridges, elevated structures, tracks, poles, wires, conduits, power houses, substations, lines for the transmission of power, car barns, shops, yards, sidings, turnouts, switches, stations and approaches thereto, cars, and motive equipment. "Facility" shall include all works, buildings, structures, appliances, and appurtenances necessary and convenient for the proper construction, equipment, maintenance, and operation of such facility or facilities, or any one or more of them. "Real property" shall include land under water, as well as uplands, and all property either now commonly or legally defined as real property or which may hereafter be so defined. "Personal property" shall include choses in action and all other property now commonly or legally defined as personal property or which may hereafter be so defined. "To lease" shall include to rent or to hire. "Rule or regulation," until and unless otherwise determined by the legislatures of both States, shall mean any rule or regulation not inconsistent with the Constitution of the United States or of either State, and, subject to the exercise of the power of Congress, for the improvement of the conduct of navigation and commerce within the district, and shall include charges, rates, rentals, or tolls fixed or established by the port authority; and, until otherwise determined as aforesaid, shall not include matters relating to harbor or river pollution. Wherever action by the legislature of either State is herein referred to, it shall mean an act of the legislature duly adopted in accordance with the provisions of the constitution of the State.

PLURAL OR SINGULAR.—The singular wherever used herein shall include the plural.

CONSENT, APPROVAL, OR RECOMMENDATION OF MUNICIPALITY; HOW GIVEN.—Wherever herein the consent, approval, or recommendation of a "municipality" is required, the word "municipality" shall be taken to include any city or incorporated village within the port district, and in addition in the State of New Jersey any borough, town, township, or any municipality governed by an improvement commission within the district.

Port of New York—  
Continued.

Such consent, approval, or recommendation whenever required in the case of the city of New York shall be deemed to have been given or made whenever the board of estimate and apportionment of said city, or any body hereafter succeeding to its duties, shall, by majority vote, pass a resolution expressing such consent, approval, or recommendation; and in the case of any municipality now or hereafter governed by a commission, whenever the commission thereof shall, by a majority vote, pass such a resolution; and in all other cases whenever the body authorized to grant consent to the use of the streets or highways of such municipality shall, by a majority vote, pass such a resolution.

In witness whereof we have hereunto set our hands and seals under chapter 154 of the Laws of 1921 of the State of New York, and chapter 151 of the Laws of 1921 of the State of New Jersey, this 30th day of April, 1921.

|                          |         |
|--------------------------|---------|
| WILLIAM R. WILLCOX.      | [SEAL.] |
| EUGENIUS H. OUTERBRIDGE. | [SEAL.] |
| CHARLES D. NEWTON.       | [SEAL.] |
| J. SPENCER SMITH.        | [SEAL.] |
| DEWITT VAN BUSKIRK.      | [SEAL.] |
| FRANK R. FORD.           | [SEAL.] |
| THOMAS F. MCCRAN.        | [SEAL.] |

In the presence of Nathan L. Miller, Walter E. Edge, Alfred E. Smith, Charles S. Whitman, William M. Calder, Lewis H. Pounds, Clarence E. Case, D. P. Kingsley, Irving T. Bush, Arthur N. Pierson, Julius Henry Cohen; in whose presence Messrs. Willcox, Outerbridge, Smith, Van Buskirk, Ford, and McCran signed in the great hall of the chamber of commerce in the city of New York on the 30th day of April, 1921. Attorney General Newton being at that time absent from the city, he signed on the 6th day of May, 1921, at the chamber, in the presence of William Leary, Charles T. Gwynne.

And

Whereas the said agreement has been signed and sealed by the commissioners of each State, and has thereby become binding on the two States as provided in the aforesaid acts: Therefore be it

Agreement con-  
sented to.

Provided.  
Federal rights, etc.,  
not affected.

Amendment.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby given to the said agreement, and to each and every part and article thereof: *Provided*, That nothing therein contained shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of said agreement.

SEC. 2. That the right to alter, amend, or repeal this resolution is hereby expressly reserved.

Approved, August 23, 1921.

August 23, 1921.  
[H. J. Res. 195.]  
[Pub. Res., No. 15.]

CHAP. 78.—Joint Resolution Authorizing the payment of salaries of officers and employees of Congress for August, 1921.

Congressional em-  
ployees to be paid  
August salaries August  
24, 1921.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Senate and the Clerk of the House of Representatives are authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of August, 1921, on the 24th day of said month.

Approved, August 23, 1921.

**CHAP. 80.**—An Act To amend the War Finance Corporation Act, approved April 5, 1918, as amended, to provide relief for producers of and dealers in agricultural products, and for other purposes.

August 24, 1921.

[S. 1915.]

[Public, No. 60.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when used in this Act the term "person" includes partnerships, corporations, and associations, as well as individuals.

War Finance Corporation Act Amendments.  
"Person," defined.

Vol. 40, p. 506, amended.

**SEC. 2.** That section 1 of Title I of the War Finance Corporation Act, approved April 5, 1918, as amended, is amended to read as follows:

"That the Secretary of the Treasury, the Secretary of Agriculture, and four additional persons (who shall be the directors first appointed as hereinafter provided) are hereby created a body corporate and politic in deed and in law by the name, style, and title of the War Finance Corporation (herein called the Corporation), and shall have succession for a period of ten years: *Provided*, That except as otherwise provided by this Act the Corporation shall not exercise any of the powers conferred by this Act except such as are incidental to the liquidation of its assets and the winding up of its affairs, after July 1, 1922."

Creation and membership of Corporation.  
Secretary of Agriculture added.

*Proviso.*  
Powers limited after July 1, 1922.

**SEC. 3.** The War Finance Corporation Act, approved April 5, 1918, as amended, is amended by adding after section 21 of Title I thereof the following new sections:

New sections.  
Vol. 40, pp. 512, 1314, amended.  
Agricultural products.

"**SEC. 22.** Whenever the Board of Directors of the Corporation shall be of the opinion that conditions arising out of the war, or out of the disruption of foreign trade created by the war, have resulted in or may result in an abnormal surplus accumulation of any staple agricultural product of the United States or lack of a market for the sale of same or that the ordinary banking facilities are inadequate to enable producers of or dealers in such products to carry them until they can be exported or sold for export in an orderly manner, the Corporation shall thereupon be empowered to make advances, for periods not exceeding one year from the respective dates of such advances, upon such terms, not inconsistent with this Act, as it may determine;

Advances allowed by Corporation, owing to conditions resulting in surplus accumulation of staple, etc.

"(a) To any person engaged in the United States in dealing in, or marketing any such products, or to any association composed of persons engaged in producing such products, for the purpose of assisting such person or association to carry such products until they can be exported or sold for export in an orderly manner. Any such advance shall bear interest at a rate not exceeding 1½ per centum in excess of the rate of discount for ninety-day commercial paper prevailing at the Federal Reserve Bank of the district in which the borrower is located at the time when such advance is made;

To dealers, producers, etc., to assist in holding products until exported, etc.

"(b) To any person without the United States purchasing such products, but in no case shall any of the money so advanced be expended without the United States. Every such advance shall be secured by adequate security of such character as shall be prescribed by the Board of Directors of the Corporation. The rate of interest charged on any such advance shall be determined by the Board of Directors. The Corporation shall retain power to recall an advance or require additional security at any time.

Interest rates.

To purchasers abroad of such products.

Security required.

Interest, etc.

"(c) To any bank, banker, or trust company in the United States which makes or has made an advance or advances to any such person as is described in paragraph (a) of this section for the purpose therein set forth or which makes or has made an advance or advances to any producer for the purpose set forth in paragraph (a). The aggregate of advances made to any bank, banker, or trust company shall not exceed the amount remaining unpaid of the advances made by such bank, banker, or trust company for purposes herein described.

To bankers, etc., making advances to producers, etc., for such purposes.

Limitation of amounts.



|   |   |
|---|---|
| Interest.   | Such advances shall bear interest at the rates fixed by the Corporation.  |
| Advances allowed until July 1, 1922.  | "SEC. 23. Notwithstanding the limitation of section 1, the advances provided for by section 21 and section 22 of this Act may be made until July 1, 1922. The Corporation may from time to time extend the time of payment of any such advance or advances through renewals, substitution of new obligations, or otherwise, but the time for the payment of any advance made under authority of section 21 and section 22 shall not be extended beyond three years from the date upon which such advance was originally made.   |
| Extension of time of payment.   |   |
| Limit.  |   |
| Secured commercial paper required for advances.   | "All advances made under section 21 or under section 22 of this Act shall be made against promissory note or notes, or other instrument or instruments in writing imposing on the borrower a primary and unconditional obligation to repay the advance at maturity, with interest as stipulated therein, with full and adequate security in each instance by indorsement, guaranty, pledge, or otherwise. The Corporation shall retain the power to require additional security at any time. All notes or other instruments evidencing advances to persons outside the United States shall be in terms payable in the United States, in currency of the United States, and shall be secured by adequate guaranties or indorsements in the United States, or by warehouse receipts, acceptable collateral, or other instruments in writing conveying or securing marketable title to agricultural products in the United States.   |
| Foreign paper to be payable in United States.   | "SEC. 24. Whenever in the opinion of the Board of Directors of the Corporation the public interest may require it, the Corporation shall be authorized and empowered to make advances upon such terms not inconsistent with this Act as it may determine to any bank, banker, or trust company in the United States, or to any cooperative association of producers in the United States which may have made advances for agricultural purposes, including the breeding, raising, fattening, and marketing of live stock, or may have discounted or rediscounted notes, drafts, bills of exchange or other negotiable instruments issued for such purposes. Such advance or advances may be made upon promissory note or notes, or other instrument or instruments, in such form as to impose on the borrowing bank, banker, trust company, or cooperative association a primary and unconditional obligation to repay the advance at maturity with interest as stipulated therein, and shall be fully and adequately secured in each instance by indorsement, guaranty, pledge, or otherwise. Such advances may be made for a period not exceeding one year and the Corporation may from time to time extend the time of payment of any such advance through renewals, substitution of new obligations or otherwise, but the time for the payment of any such advance shall not be extended beyond three years from the date upon which such advance was originally made. The aggregate of advances made to any bank, banker, trust company, or cooperative association shall not exceed the amount remaining unpaid of the advances made by such bank, banker, trust company, or cooperative association for purposes herein described. |
| Guaranties, etc., required.   |   |
| Advances to banks, etc., having made advances, etc., for agricultural purposes, including live stock. |   |
| Discounting notes, etc., therefor.  | "The Corporation may, in exceptional cases, upon such terms not inconsistent with this Act as it may determine, purchase from domestic banks, bankers, or trust companies, notes, drafts, bills of exchange, or other instruments of indebtedness secured by chattel mortgages, warehouse receipts, bills of lading, or other instruments in writing conveying or securing marketable title to staple agricultural products, including live stock. The Corporation may from time to time, upon like security, extend the time of payment of any note, draft, bill of exchange, or other instrument acquired under this section, but the time for the payment of any such note, draft, bill of exchange, or other instrument shall not be extended beyond three  |
| Security required.  |   |
| Term limit.   | "The Corporation may, in exceptional cases, upon such terms not inconsistent with this Act as it may determine, purchase from domestic banks, bankers, or trust companies, notes, drafts, bills of exchange, or other instruments of indebtedness secured by chattel mortgages, warehouse receipts, bills of lading, or other instruments in writing conveying or securing marketable title to staple agricultural products, including live stock. The Corporation may from time to time, upon like security, extend the time of payment of any note, draft, bill of exchange, or other instrument acquired under this section, but the time for the payment of any such note, draft, bill of exchange, or other instrument shall not be extended beyond three  |
| Renewals authorized.  |   |
| Maximum restricted.   | "The Corporation may, in exceptional cases, upon such terms not inconsistent with this Act as it may determine, purchase from domestic banks, bankers, or trust companies, notes, drafts, bills of exchange, or other instruments of indebtedness secured by chattel mortgages, warehouse receipts, bills of lading, or other instruments in writing conveying or securing marketable title to staple agricultural products, including live stock. The Corporation may from time to time, upon like security, extend the time of payment of any note, draft, bill of exchange, or other instrument acquired under this section, but the time for the payment of any such note, draft, bill of exchange, or other instrument shall not be extended beyond three  |
| Purchase by Corporation of commercial paper secured by agricultural products or live stock.           |   |
| Extensions of time for payment, etc.  | "The Corporation may, in exceptional cases, upon such terms not inconsistent with this Act as it may determine, purchase from domestic banks, bankers, or trust companies, notes, drafts, bills of exchange, or other instruments of indebtedness secured by chattel mortgages, warehouse receipts, bills of lading, or other instruments in writing conveying or securing marketable title to staple agricultural products, including live stock. The Corporation may from time to time, upon like security, extend the time of payment of any note, draft, bill of exchange, or other instrument acquired under this section, but the time for the payment of any such note, draft, bill of exchange, or other instrument shall not be extended beyond three  |
| Limit.  |   |

years from the date upon which such note, draft, bill of exchange, or other instrument was acquired by the Corporation. The Corporation is further authorized, upon such terms as it may prescribe, to purchase, sell, or otherwise deal in acceptances, adequately secured, issued by banking corporations organized under section 25 (a) of the Federal Reserve Act: *Provided*, That no purchase of acceptances of the said banking corporations shall be made except for the purpose of assisting the said banking corporations in financing the exportation of agricultural and manufactured products from the United States to foreign countries. No such acceptances shall be purchased which have a maturity at the time of such purchase of more than three years.

"Advances or purchases may be made under this section at any time prior to July 1, 1922.

"SEC. 25. The aggregate amount of all advances made under sections 21, 22, and 24, and of all notes, drafts, bills of exchange, or other securities purchased under section 24 remaining unpaid, shall not at any one time exceed \$1,000,000,000.

"SEC. 26. Whenever in this Act the words 'bank, banker, or trust company' are used, they shall be deemed to include any reputable and responsible financing institution incorporated under the laws of any State or of the United States with resources adequate to the undertaking contemplated.

"SEC. 27. In order to enable the Corporation to carry out the purposes of this Act, the Comptroller of the Currency is hereby authorized to furnish to the Corporation for its confidential use such reports, records, or other information as he may have available relating to financial condition of national banks to which the Corporation has made or contemplates making advances, and to make, through his examiners, for the confidential use of the Corporation, examinations of banks, bankers, or trust companies, other than national banks, to which the Corporation has made or contemplates making advances: *Provided*, That no such examination shall be made without the consent of such bank, banker, or trust company.

"SEC. 28. No person, bank, banker, or trust company receiving money under the provisions of this Act shall loan such money at a rate of interest greater than 2 per centum per annum in excess of the rate of interest charged or received by the Corporation upon such money."

"SEC. 4. Section 21 of Title I of the War Finance Corporation Act is hereby amended by striking out paragraphs (b) and (c) thereof, and by striking out at the beginning of the first paragraph the letter (a).

"SEC. 5. The first paragraph of section 12 of Title I of the War Finance Corporation Act is hereby amended and reenacted to read as follows:

"SEC. 12. That the Corporation shall be empowered and authorized to issue and have outstanding at any one time its notes or bonds in an amount aggregating not more than three times its paid-in capital, such notes or bonds to mature not less than six months nor more than five years from the respective dates of issue, and may be redeemable before maturity at the option of the Corporation, as may be stipulated in such notes or bonds, and to bear such rate or rates of interest as may be determined by the board of directors, but such rate or rates of interest shall be subject to the approval of the Secretary of the Treasury. Such notes or bonds shall have a first and paramount floating charge on all the assets of the Corporation, and the Corporation shall not at any time mortgage or pledge any of its assets. Such notes or bonds may be issued at not less than par in payment of any advances authorized by this title, or may be offered

Dealing in acceptances of foreign banking corporations, authorized.  
Vol. 41, pp. 373, 1145.

*Proviso.*  
Restricted to exporting American products.

Maturity limitation.

Advances, etc., allowed to July 1, 1922.

Aggregate of advances, etc., limited.

Inclusion of State or Federal financial institutions.

Comptroller of the Currency to furnish information of condition of national banks receiving advances.

Examination of other banks, etc.

*Proviso.*  
Subject to consent thereof.  
Interest charge by banks limited.

Advances to exporters.  
Vol. 40, p. 1313, amended.  
Limit, etc., stricken out.

Vol. 40, p. 509, amended.

Issue of notes or bonds authorized.  
Limit.

Interest.

First lien on assets.

Issue for advances, sale, etc.

for sale publicly or to any individual, firm, corporation, or association, at such price or prices at not less than par as the board of directors, with the approval of the Secretary of the Treasury, may determine."

Termination of power, etc.

The power of the corporation to issue notes or bonds may be exercised at any time prior to January 1, 1925, but no notes or bonds shall mature later than July 1, 1925.

Vol. 40, p. 510, amended.

Acceptance of bonds or notes as collateral for reserve bank discounts.

SEC. 6. Paragraph 1 of section 13 of Title I of the War Finance Corporation Act is hereby amended and reenacted to read as follows:

"That the Federal Reserve Banks shall be authorized, subject to the maturity limitations of the Federal Reserve Act and to regulations of the Federal Reserve Board, to discount the direct obligations of member banks secured by such notes or bonds of the Corporation and to rediscount notes or other negotiable instruments secured by such notes or bonds and indorsed by a member bank. Discounts or rediscounts under this section shall be at an interest rate equal to the prevailing rate for eligible commercial paper of corresponding maturities."

Interest charges.

Corporation funds. Vol. 40, p. 1314, amended.

Disposition of unemployed.

SEC. 7. That section 15 of Title I of the War Finance Corporation Act be amended and reenacted to read as follows:

"SEC. 15. That all moneys of the Corporation not otherwise employed may be kept on deposit, subject to check, with the Treasurer of the United States, or in any of the Federal reserve banks, or may, upon the direction of the board of directors of the Corporation, with the approval of the Secretary of the Treasury, be invested in bonds or other obligations of the United States issued or converted after September 24, 1917, or upon like direction and approval, may be used from time to time in the purchase or redemption of any bonds issued by the Corporation.

Investment in Government securities.

Redemption of issues.

Federal reserve banks may be depositories, etc.

"The Federal reserve banks are hereby authorized to act as depositories for and as fiscal agents of the Corporation in the general performance of the powers conferred by this title.

Liquidation.

"Beginning July 1, 1922, the directors of the Corporation shall proceed to liquidate its assets and wind up its affairs, except as specifically provided in this title; but the directors of the Corporation, in their discretion, may, from time to time prior to such liquidation, sell and dispose of any securities or other property acquired by the Corporation.

Deposit with Treasurer after July 1, 1922.

"After July 1, 1922, the Corporation may, with the approval of the Secretary of the Treasury, deposit with the Treasurer of the United States, as a special deposit, out of money belonging to the Corporation, or from time to time received by it in the course of liquidation or otherwise, an amount equal to the aggregate amount of all outstanding bonds or notes of the Corporation, including principal and interest to maturity. Moneys so deposited shall constitute a special fund for the payment of principal and interest of such bonds or notes, or for the purchase or redemption of such bonds or notes at not more than par and accrued interest, and may be drawn upon or paid out for no other purpose.

Special fund for redemption of bonds, etc.

Moneys received after outstanding bonds, etc., provided for, to be paid into the Treasury.

"Whenever there shall have been deposited in such special fund an amount equal to the aggregate amount of all bonds or notes of the Corporation then outstanding, including principal and interest to maturity, the Corporation may, with the approval of the Secretary of the Treasury, pay into the Treasury of the United States, as miscellaneous receipts, any moneys belonging to the Corporation, or received from time to time in the course of liquidation or otherwise, in excess of a reasonable reserve to meet all liabilities and expenses during liquidation. Whenever any such payment is made, an amount of capital stock of the Corporation equal in par value to the amount so paid in shall be canceled and retired.

Stock to be canceled.

"All net earnings of the Corporation not required for its operations shall be accumulated as a reserve fund until such time as the Corporation liquidates under the terms of this title.

Reserve fund.

"Any balance remaining after the payment of all the Corporation's debts, and after the retirement of all its capital stock as herein provided, shall be paid into the Treasury of the United States as miscellaneous receipts, and thereupon the Corporation shall be dissolved."

Dissolution after debts paid and stock retired.

Approved, August 24, 1921.

**CHAP. 81.**—An Act Ratifying, confirming, and approving certain acts of the Legislature of Hawaii granting franchises for the manufacture, distribution, and supply of gas, electric light and power, and the construction, maintenance, and operation of a street railway, and for other purposes.

August 24, 1921.

[S. 2062.]

[Public, No. 61.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act of the Legislature of Hawaii (Act 134 of the Session Laws of 1917), entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, on the island and county of Hawaii, Territory of Hawaii," approved by the governor of the Territory of Hawaii April 30, anno Domini 1917, as amended; the act of the Legislature of Hawaii (Act 135 of the Session Laws of 1919), entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hana, on the island and county of Maui, Territory of Hawaii," approved by the governor of the Territory of Hawaii on April 25, anno Domini 1919; the act of the Legislature of Hawaii (Act 101 of the Session Laws of 1921), entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, Territory of Hawaii," approved by the governor of the Territory of Hawaii on April 16, anno Domini 1921; the act of the Legislature of the Territory of Hawaii (Act 105 of the Session Laws of 1921), entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Kappa and Waipouli, in the district of Kawaihau, on the island and county of Kauai, Territory of Hawaii," approved by the governor of the Territory of Hawaii on April 16, anno Domini 1921; the act of the Legislature of the Territory of Hawaii (Act 184 of the Session Laws of 1921), entitled "An act granting a franchise for the purpose of manufacturing and supplying gas and electric current in the districts of Wailuku and Makawao, county of Maui, Territory of Hawaii," approved by the governor of the Territory of Hawaii on April 26, anno Domini 1921; and the act of the Legislature of the Territory of Hawaii (Act 186 of the Session Laws of 1921), entitled "An act to amend an act entitled 'An act to authorize and provide for the construction, maintenance, and operation of a street railway or railways in the district of Honolulu, Island of Oahu,' enacted by the Legislature of the Republic of Hawaii July 7, 1898, and granting a franchise to the Honolulu Rapid Transit and Land Company to operate a street railway in the district of Honolulu, providing for the operation of the same, and providing for the purchase of the same by the city and county of Honolulu," approved by the governor of the Territory of Hawaii on April 26, anno Domini 1921, are hereby ratified, confirmed, and approved.

Hawaii.  
Acts of legislature granting franchises for designated public utilities.

Ratified and approved.

**SEC. 2.** That Congress, or the Legislature of the Territory of Hawaii may at any time alter, amend, or repeal any or all of the above acts.

Amendment, etc., by Congress or legislature authorized.

Approved, August 24, 1921.

August 24, 1921.

[S. 2330.]

[Public, No. 62.]

National forests.  
Time extended for  
paying grazing fees in.  
Vol. 41, p. 1330, amend-  
ed.  
Post, p. 220.

**CHAP. 82.**—An Act To extend the time for payment of grazing fees for the use of national forests during the calendar year 1921.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the time for making payments of grazing fees for the use of national forests as provided by existing law is extended from the 1st day of September, 1921, to the 1st day of December, 1921.

Approved, August 24, 1921.

August 24, 1921.

[S. 2420.]

[Public, No. 63.]

Birmingham semi-  
centennial.  
Special canceling  
stamps authorized for,  
at Birmingham, Ala.,  
post office.

**CHAP. 83.**—An Act Authorizing and directing the Postmaster General to permit the use of a special canceling stamp at the post office of Birmingham, Alabama, bearing the words "Birmingham semicentennial, October 24 to 29, 1921."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby, authorized and directed to permit the use in the Birmingham, Alabama, post office of special canceling stamps bearing the following words: "Birmingham semicentennial, October 24 to 29."

Approved, August 24, 1921.

August 24, 1921.

[H. R. 4813.]

[Public, No. 64.]

Public lands.  
Mining claims assess-  
ments.  
Vol. 21, p. 61, amend-  
ed.

Period of work to  
commence on 1st day  
of July.  
R. S., sec. 2324, p.  
426, amended.

Extension of work  
for 1921.

**CHAP. 84.**—An Act Changing the period for doing annual assessment work on unpatented mineral claims from the calendar year to the fiscal year beginning July 1 each year.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 2 of "An Act to amend sections 2324 and 2325 of the Revised Statutes of the United States concerning mineral lands," approved January 22, 1880, be, and the same is hereby, amended to read as follows:

"SEC. 2. That section 2324 of the Revised Statutes of the United States be amended by adding the following words: 'Provided, That the period within which the work required to be done annually on all unpatented mineral claims located since May 10, 1872, including such claims in the Territory of Alaska, shall commence at 12 o'clock meridian on the 1st day of July succeeding the date of location of such claim: *Provided further,* That on all such valid existing claims the annual period ending December 31, 1921, shall continue to 12 o'clock meridian July 1, 1922.'"

Approved, August 24, 1921.

August 24, 1921.

[H. R. 5621.]

[Public, No. 66.]

Public lands.  
Disposal of unsold  
lots in Fort Madison  
and Bellevue town  
sites, Iowa.  
Purchase by occu-  
pants.  
Vol. 5, pp. 70, 178.

Proviso.  
Donation to munic-  
ipalities.

**CHAP. 85.**—An Act For the disposal of certain lands in the town sites of Fort Madison and Bellevue, Iowa.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all lots in the town sites of Fort Madison and Bellevue, Iowa, not heretofore sold and patented under the Acts of July 2, 1836, and March 3, 1837 (Fifth Statutes, pages 70 and 178), shall be disposed of and patented to the untested occupants thereof holding same by themselves and their predecessors in interest, in good faith under claim and color of title, and who shall make application for patent or to purchase such lots within one year from the passage of this Act, and who shall furnish satisfactory proof of such occupancy and color of title, and pay therefor the appraised value of such lots in case the purchase price has not been paid to the United States: *Provided,* That lots occupied by public improvements shall be donated and patented to the municipality

owning such improvements. All lots in said town sites not so disposed of at the expiration of one year after the passage of this Act shall be subject to private sale at the appraised value thereof, or to competitive sale, at not less than the appraised value, in the discretion of the Secretary of the Interior.

Approved, August 24, 1921.

Sale of undisposed of lots.

CHAP. 86.—An Act Taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes.

August 24, 1921.  
[H. R. 5576.]  
[Public, No. 66.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known by the short title of "The Future Trading Act."*

Future Trading Act.

SEC. 2. That for the purposes of this Act "contract of sale" shall be held to include sales, agreements of sale, and agreements to sell. That the word "person" shall be construed to import the plural or singular and shall include individuals, associations, partnerships, corporations, and trusts. That the word "grain" shall be construed to mean wheat, corn, oats, barley, rye, flax, and sorghum. The term "future delivery," as used herein, shall not include any sale of cash grain for deferred shipment or delivery. The words "board of trade" shall be held to include and mean any exchange or association, whether incorporated or unincorporated, of persons who shall be engaged in the business of buying or selling grain or receiving the same for sale on consignment. The act, omission, or failure of any official, agent, or other person acting for any individual, association, partnership, corporation, or trust within the scope of his employment or office shall be deemed the act, omission, or failure of such individual, association, partnership, corporation, or trust, as well as of such official, agent, or other person.

Terms construed.

Principals responsible for acts of agents.

SEC. 3. That in addition to the taxes now imposed by law there is hereby levied a tax amounting to 20 cents per bushel on each bushel involved therein, whether the actual commodity is intended to be delivered or only nominally referred to, upon each and every privilege or option for a contract either of purchase or sale of grain, intending hereby to tax only the transactions known to the trade as "privileges," "bids," "offers," "puts and calls," "indemnities," or "ups and downs."

Additional tax on options for sale or purchase of grain.  
Vol. 40, p. 1136.

SEC. 4. That in addition to the taxes now imposed by law there is hereby levied a tax of 20 cents a bushel on every bushel involved therein, upon each contract of sale of grain for future delivery except—

On contracts for future delivery.

(a) Where the seller is at the time of the making of such contract the owner of the actual physical property covered thereby, or is the grower thereof, or in case either party to the contract is the owner or renter of land on which the same is to be grown, or is an association of such owners, or growers of grain, or of such owners or renters of land; or

Exceptions.  
If seller is owner, etc., of property.

(b) Where such contracts are made by or through a member of a board of trade which has been designated by the Secretary of Agriculture as a "contract market," as hereinafter provided, and if such contract is evidenced by a memorandum in writing which shows the date, the parties to such contract and their addresses, the property covered and its price, and the terms of delivery, and provided that each board member shall keep such memorandum for a period of three years from the date thereof, or for a longer period if the Secretary of Agriculture shall so direct, which record shall at all times be open to the inspection of any representative of the United States Department of Agriculture or the United States Department of Justice.

If made through designated boards of trade.  
Requirements.

Contract markets.  
Designation of  
boards of trade as.  
Conditions.

Located at terminal  
markets, etc.

Conform to require-  
ments for detailed ac-  
counting of transac-  
tions, etc.

Preservation, inspec-  
tion, etc., of records.

Prevent misleading  
reports of market  
prices, etc.

Prevent price ma-  
nipulation by oper-  
ators.

Admit cooperative  
associations of produc-  
ers to membership.

Proviso.  
Distribution of earn-  
ings among.

Refuse privileges to  
barred operators.

Post, p. 189.  
Contract markets.  
Applications for des-  
ignation as.

Commission author-  
ized to suspend, etc.,  
boards violating re-  
quirements, etc.

Hearings, etc.

SEC. 5. That the Secretary of Agriculture is hereby authorized and directed to designate boards of trade as "contract markets" when, and only when, such boards of trade comply with the following conditions and requirements:

(a) When located at a terminal market upon which cash grain is sold in sufficient volumes and under such conditions as fairly to reflect the general value of the grain and the difference in value between the various grades of grain, and having recognized official weighing and inspection service.

(b) When the governing board thereof provides for the making and filing, by the board or any member thereof, as the Secretary of Agriculture may direct, of reports in accordance with the rules and regulations, and in such manner and form and at such times as may be prescribed by the Secretary of Agriculture, showing the details and terms of all transactions entered into by the board, or the members thereof, either in cash transactions consummated at, on, or in a board of trade, or transactions for future delivery, and when such governing board provides, in accordance with such rules and regulations, for the keeping of a record by the board or the members of the board of trade, as the Secretary of Agriculture may direct, showing the details and terms of all cash and future transactions entered into by them, consummated at, on, or in a board of trade, such record to be in permanent form, showing the parties to all such transactions, any assignments or transfers thereof, with the parties thereto, and the manner in which said transactions are fulfilled, discharged, or terminated. Such record shall be required to be kept for a period of three years from the date thereof, or for a longer period if the Secretary of Agriculture shall so direct, and shall at all times be open to the inspection of any representative of the United States Department of Agriculture or United States Department of Justice.

(c) When the governing board thereof prevents the dissemination, by the board or any member thereof, of false, misleading, or inaccurate report, concerning crop or market information or conditions that affect or tend to affect the price of commodities.

(d) When the governing board thereof provides for the prevention of manipulation of prices, or the cornering of any grain, by the dealers or operators upon such board.

(e) When the governing board thereof admits to membership thereof and all privileges thereon on such boards of trade any duly authorized representative of any lawfully formed and conducted cooperative associations of producers having adequate financial responsibility: *Provided*, That no rule of a contract market against rebating commissions shall apply to the distribution of earnings among the bona fide members of any such cooperative association.

(f) When the governing board shall provide for making effective the final orders or decisions entered pursuant to the provisions of paragraph (b) section 6 of this Act.

SEC. 6. That any board of trade desiring to be designated a "contract market" shall make application to the Secretary of Agriculture for such designation and accompany the same with a showing that it complies with the above conditions, and with a sufficient assurance that it will continue to comply with the above requirements.

(a) A commission composed of the Secretary of Agriculture, the Secretary of Commerce, and the Attorney General is authorized to suspend for a period not to exceed six months or to revoke the designation of any board of trade as a "contract market" upon a showing that such board of trade has failed or is failing to comply with the above requirements or is not enforcing its rules of government made a condition of its designation as set forth in section 5. Such suspension or revocation shall only be after a notice to the

officers of the board of trade affected and upon a hearing: *Provided*, That such suspension or revocation shall be final and conclusive unless within fifteen days after such suspension or revocation by the said commission such board of trade appeals to the circuit court of appeals for the circuit in which it has its principal place of business by filing with the clerk of such court a written petition praying that the order of the said commission be set aside or modified in the manner stated in the petition, together with a bond in such sum as the court may determine, conditioned that such board of trade will pay the costs of the proceedings if the court so directs. The clerk of the court in which such a petition is filed shall immediately cause a copy thereof to be delivered to the Secretary of Agriculture, chairman of said commission, or any member thereof, and the said commission shall forthwith prepare, certify, and file in the court a full and accurate transcript of the record in such proceedings, including the notice to the board of trade, a copy of the charges, the evidence, and the report and order. The testimony and evidence taken or submitted before the said commission duly certified and filed as aforesaid as a part of the record, shall be considered by the court as the evidence in the case. The proceedings in such cases in the circuit court of appeals shall be made a preferred cause and shall be expedited in every way. Such a court may affirm or set aside the order of the said commission or may direct it to modify its order. No such order of the said commission shall be modified or set aside by the circuit court of appeals unless it is shown by the board of trade that the order is unsupported by the weight of the evidence or was issued without due notice and a reasonable opportunity having been afforded to such board of trade for a hearing, or infringes the Constitution of the United States, or is beyond the jurisdiction of said commission: *Provided further*, That if the Secretary of Agriculture shall refuse to designate as a contract market any board of trade that has made application therefor, then such board of trade may appeal from such refusal to the commission described therein, consisting of the Secretary of Agriculture, the Secretary of Commerce, and the Attorney General of the United States, with the right to appeal as provided for in other cases in this section, the decision on such appeal to be final and binding on all parties interested.

(b) That if the Secretary of Agriculture has reason to believe that any person is violating any of the provisions of this Act, or is attempting to manipulate the market price of any grain in violation of the provisions of section 5 hereof, or of any of the rules or regulations made pursuant to its requirements, he may serve upon such person a complaint stating his charge in that respect, to which complaint shall be attached or contained therein a notice of hearing, specifying a day and place not less than three days after the service thereof, requiring such person to show cause why an order should not be made directing that all contract markets until further notice of the said commission refuse all trading privileges thereon to such person. Said hearing may be held in Washington, District of Columbia, or elsewhere, before the said commission, or before a referee designated by the Secretary of Agriculture, who shall cause all evidence to be reduced to writing and forthwith transmit the same to the Secretary of Agriculture as chairman of the said commission. That for the purpose of securing effective enforcement of the provisions of this Act the provisions, including penalties, of section 12 of the Interstate Commerce Act, as amended, relating to the attendance and testimony of witnesses, the production of documentary evidence, and the immunity of witnesses, are made applicable to the power, jurisdiction, and authority of the Secretary of Agriculture, the said commission, or said referee in proceedings under this Act, and to persons subject to its provisions.

*Proviso.*  
Action conclusive unless petition be filed in circuit court of appeals to set order aside, etc.

Records, etc., to be certified to court.

Accepted as testimony.

Expediting directed.

Authority to set aside, etc., orders, limited.

Appeal to commission if board of trade be refused designation as contract market.

Decision final.

Complaints against persons for violating provisions hereof.

Hearings by commission or referee.

Jurisdiction for securing testimony, enforcement, etc.

Vol. 26, p. 743.



Order requiring contract markets to refuse privileges to such persons.

Petition to circuit court of appeals to set aside order.

Procedure.

Jurisdiction of court.

Review by Supreme Court allowed.  
Vol. 36, p. 1157.

Collection of tax.

Vacation of designation as contract market on application.

Renewal authorized on application therefor.

Investigations, etc., of operations of boards of trade.

Publication of results.

Proteios.  
Issuing of reports.

Statement of facts.

Cooperative investigations of marketing conditions, etc.

Upon evidence received the said commission may require all contract markets to refuse such person all trading privileges thereon for such period as may be specified in said order. Notice of such order shall be sent forthwith by registered mail or delivered to the offending person and to the governing boards of said contract markets. After the issuance of the order by the commission, as aforesaid, the person against whom it is issued may obtain a review of such order or such other equitable relief as to the court may seem just by filing in the United States circuit court of appeals of the circuit in which the petitioner is doing business a written petition praying that the order of the commission be set aside. A copy of such petition shall be forthwith served upon the commission by delivering such copy to its chairman, or to any member thereof, and thereupon the commission shall forthwith certify and file in the court a transcript of the record theretofore made, including evidence received. Upon the filing of the transcript the court shall have jurisdiction to affirm, to set aside, or modify the order of the commission, and the findings of the commission as to the facts, if supported by the weight of evidence, shall in like manner be conclusive. In proceedings under paragraphs (a) and (b) the judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in section 240 of the Judicial Code.

SEC. 7. That the tax provided for herein shall be paid by the seller, and such tax shall be collected either by the affixing of stamps or by such other method as may have been prescribed by the Secretary of the Treasury by regulations, and such regulations shall be published at such times and in such manner as shall be determined by the Secretary of the Treasury.

SEC. 8. That any board of trade that has been designated a contract market, in the manner herein provided, may have such designation vacated and set aside by giving notice in writing to the Secretary of Agriculture requesting that its designation as a contract market be vacated, which notice shall be served as least ninety days prior to the date named therein, as the date when the vacation of designation shall take effect. Upon receipt of such notice the Secretary of Agriculture shall forthwith order the vacation of the designation of such board of trade as a contract market, effective upon the day named in the notice, and shall forthwith send a copy of the notice and his order to all other contract markets. From and after the date upon which the vacation became effective, the said board of trade can thereafter be designated again a contract market by making application to the Secretary of Agriculture in the manner herein provided for an original application.

SEC. 9. That the Secretary of Agriculture may make such investigations as he may deem necessary to ascertain the facts regarding the operations of boards of trade and may publish from time to time, in his discretion, the result of such investigation, and such statistical information gathered therefrom, as he may deem of interest to the public, except data and information which would separately disclose the business transactions of any person, and trade secrets or names of customers: *Provided*, That nothing in this section shall be construed to prohibit the Secretary of Agriculture from making or issuing such reports as he may deem necessary, relative to the conduct of any board of trade, or of the transactions of any person found guilty of violating the provisions of this Act under the proceedings prescribed in section 6 of this Act: *Provided further*, That the Secretary of Agriculture in any report may include the facts as to any actual transaction. The Secretary of Agriculture, upon his own initiative or in cooperation with existing governmental agencies, shall investigate marketing conditions of grain and grain products, and by-products, including supply and demand for these commodities,

cost to the consumer, and handling and transportation charges. He shall likewise compile and furnish to producers, consumers, and distributors, by means of regular or special reports, or by such methods as he may deem most effective, information respecting the grain markets, together with information on supply, demand, prices, and other conditions, in this and other countries that affect the markets.

SEC. 10. That any person who shall fail to evidence any such contract by a memorandum in writing, or to keep the record, or make a report, or who shall fail to pay the tax, as provided in sections 4 and 5 hereof, or who shall fail to pay the tax required in section 3 hereof, shall pay in addition to the tax a penalty equal to 50 per centum of the tax levied against him under this Act and shall be guilty of a misdemeanor, and upon conviction thereof, be fined not more than \$10,000 or imprisoned for not more than one year, or both, together with the costs of prosecution.

SEC. 11. That if any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 12. That no tax shall be imposed by this Act within four months after its passage, and no fine, imprisonment, or other penalty shall be enforced for any violation of this Act occurring within four months after its passage.

SEC. 13. The Secretary of Agriculture may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency or political subdivision thereof, or any person; and shall have the power to appoint, remove, and fix the compensation of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this Act in the District of Columbia and elsewhere, and there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary for such purposes.

Approved, August 24, 1921.

CHAP. 87.—An Act Authorizing bestowal upon the unknown unidentified American to be buried in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia, the congressional medal of honor and the distinguished service cross.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he hereby is, authorized to bestow with appropriate ceremonies, military and civil, the congressional medal of honor and the distinguished service cross upon the unknown unidentified American to be buried in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia, on November 11, 1921.

Approved, August 24, 1921.

CHAP. 88.—An Act To control importations of dyes and chemicals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subdivision (a) of section 501 of the Dye and Chemical Control Act, approved May 27, 1921, is amended by striking out the words "three months," and inserting in lieu thereof the words "six months."

Dissemination of information.

Additional tax for designated violations.

Punishment on conviction.

Invalidity of any provision, etc., not to affect remainder of Act.

Penalties not enforced until four months.

Cooperation with Government, State, etc., agencies.

Authority for employees, expenses, etc.

Appropriations authorized.

August 24, 1921.  
[H. R. 7255.]

[Public, No. 67.]

Medal of honor.  
Bestowal of, on unidentified soldier in Memorial Amphitheater, Arlington, Va.  
Vol. 41, p. 1447.

August 24, 1921.  
[H. R. 8107.]

[Public, No. 68.]

Dye and Chemical Control Act.  
Provisions continued three months.  
Ante. p. 13, amended.  
Post, p. 220.

War Trade Board.  
Furniture, etc.,  
transferred to Treasury  
Department.

SEC. 2. That all furniture, file cases, typewriters, and other office appliances in use by the War Trade Section of the Department of State on May 28, 1921, shall be transferred to and become the property of the Treasury Department.

Approved, August 24, 1921.

August 24, 1921.  
[H. R. 8117.]  
[Public, No. 60.]

CHAP. 89.—An Act Making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1922, and for other purposes.

Urgent deficiencies  
appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1922, and for other purposes, namely:

District of Columbia.

#### DISTRICT OF COLUMBIA.

Courts and prisons.

#### COURTS AND PRISONS.

Miscellaneous ex-  
penses, supreme court  
and court of appeals.

Miscellaneous expenses: For such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, including also such expenses other than for personal services as may be authorized by the Attorney General for the court of appeals, District of Columbia, fiscal year 1921, \$5,500.

Sixty per cent from  
District revenues.

Sixty per centum of the foregoing sum for the District of Columbia shall be paid out of the revenues of the District of Columbia and 40 per centum out of the Treasury of the United States.

Shipping Board.

#### UNITED STATES SHIPPING BOARD.

Maintenance, etc.,  
Emergency Fleet Cor-  
poration.

*Previous.*  
Limit on payment of  
claims.

Restriction on em-  
ployment of attorneys.

Pay restriction.

Employment of cer-  
tified public account-  
ants, etc., limited.

Subsistence, etc., al-  
lowance.

For expenses of the United States Shipping Board Emergency Fleet Corporation for losses due to the maintenance and operation of ships and for administrative purposes, \$48,500,000: *Provided*, That no part of this sum shall be used for the payment of claims other than those resulting from the current maintenance and operation of vessels: *Provided further*, That no part of this sum shall be used to pay the compensation of any attorney, regular or special, for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation unless the contract of employment has been approved by the Attorney General of the United States: *Provided further*, That not more than six officers or employees of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall be paid an annual salary or compensation in excess of \$11,000: *Provided further*, That this appropriation shall not be available for the payment of certified public accountants, their agents, or employees, except those now employed in making an audit and taking an inventory of stock, and after the completion of such audit and inventory all auditing of every nature requiring the services of outside auditors shall be furnished through the Bureau of Efficiency: *Provided further*, That no part of this appropriation shall be used for actual expenses of subsistence exceeding \$5 a day or per diem in lieu of subsistence exceeding \$4 for any officer or employee of the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation.

State Department.

#### DEPARTMENT OF STATE.

Conference on arma-  
ment limitation.  
All expenses.  
*A etc*, p. 141.

Conference on the Subject of the Limitation of Armament: To enable the United States Government suitably to participate in the Conference on the Subject of the Limitation of Armament to be held

in the city of Washington and for the compensation of delegates or other representatives, clerks, and employees, including personal services in the District of Columbia, notwithstanding the provision of any other Act, expenses of transportation, subsistence, printing in English and other languages (including publication of the proceedings), stationery and supplies, entertainment of delegates, and such other objects as the President may deem necessary, to be disbursed under the direction of the Secretary of State, \$200,000, or as much thereof as may be necessary: *Provided*, That a report shall be made to Congress not later than June 30, 1922, of the expenditures hereunder.

*Proviso.  
Report of expendi-  
tures.*

## TREASURY DEPARTMENT.

Treasury Depart-  
ment.

### DIVISION OF CUSTOMS.

Customs Division.

For expenses of the Dye and Chemical Section, Division of Customs, \$7,000.

Dye and Chemical  
section.

### CUSTOMS SERVICE.

Customs service.

For all necessary expenses, as may be authorized by the Secretary of the Treasury, in connection with the administration and enforcement of the customs laws and regulations, including investigations by the Tariff Commission, and the consideration of pending legislation, including the employment of any necessary officers and other employees in the District of Columbia, and the several collection districts, \$100,000.

Administration, en-  
forcement, etc., of laws  
and regulations.

## DEPARTMENT OF JUSTICE.

Department of Jus-  
tice.

### CONTINGENT EXPENSES.

For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of buildings, care of grounds, books of reference, periodicals, typewriters and adding machines and exchange of same, street car fares not exceeding \$200, and other necessities, directly ordered by the Attorney General, for the fiscal years that follow:

Contingent expenses.

For 1918, 25 cents;  
For 1919, \$5.91.

### MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE.

Miscellaneous.

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal years that follow:

Detection, etc., of  
crimes.

For 1918, \$564.

For 1919, \$728.

Books for judicial officers: For purchase and rebinding of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the nine libraries of the United States circuit courts of appeals, to be expended under the direction of the Attorney General, for the fiscal years that follow:

Books for judicial  
officers.

For 1918, \$9.00;

For 1919, \$3.00.

Payment of costs taxed against the United States: For the payment of the costs taxed by the Supreme Court of the District of Columbia against the defendants in the case of the Central Pacific Railway Company against Franklin K. Lane, Secretary of the Interior, and Clay Tallman, Commissioner of the General Land Office, for the fiscal year 1921, \$116.30.

Costs in Central Pa-  
cific Railway case.

## United States courts.

## UNITED STATES COURTS.

## Marshals.

For salaries, fees, and expenses of United States marshals and their deputies, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$72,000.

## District attorneys.

For salaries of United States district attorneys and expenses of United States district attorneys and their regular assistants, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$29,000.

## Clerks.

For salaries of clerks of United States district courts, their deputies, and other assistants, expenses of travel and subsistence, and other expenses of conducting their respective offices, in accordance with the provisions of the Act approved February 26, 1919, for the fiscal year 1921, \$66,000.

Vol. 40, p. 1182.

## Jurors.

For fees of jurors, fiscal year 1921, \$31,000.

## Support of prisoners.

For support of United States prisoners, including necessary clothing and medical aid, and so forth, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921, \$138,000: *Provided*, That the accounting officers are authorized to reimburse from this appropriation the board of prison commissioners of the Texas State prison system in the amount of \$5 paid as discharge gratuity to United States prisoner, Hattie Burr.

*Proviso.*  
Texas prison com-  
missioners.  
Reimbursement.

## Miscellaneous.

For such miscellaneous expenses as may be authorized by the Attorney General for the United States courts and their officers, including so much as may be necessary in the discretion of the Attorney General for such expenses in the district of Alaska, for the fiscal years that follow:

For 1918, \$7.04;

For 1919, \$524.57.

*Proviso.*  
Judd and Detweiler,  
payment to.

For 1920, \$1,618.04: *Provided*, That the General Accounting Office is authorized and directed to settle under this appropriation for the fiscal year 1920 the bill of Judd and Detweiler, amounting to \$12, for furnishing fifty copies of the brief in the case of Isiah Smith against United States, and to allow in the account of United States marshal for the western district of Oklahoma for the quarter ended September 30, 1920, items aggregating \$41.11, covering authorized payments for subsistence in excess of \$5 per day cab fare and war tax paid to H. C. Cowles, expert ecologist;

*Marshal, Oklahoma*  
*western district.*  
*Account allowed.*

For 1921, \$42,000.

*Penitentiaries.*  
*Atlanta, Ga.*

Atlanta, Georgia, Penitentiary: For miscellaneous expenditures, including the same objects specified under this head in the Sundry Civil Appropriation Act for the fiscal year 1921 for the penitentiary at Leavenworth, Kansas, \$1,449.10;

*Leavenworth, Kans.*

For construction of water tank, \$20,000.

Leavenworth, Kansas, Penitentiary: For construction complete of new power house, \$30,000;

For purchase of boilers, engines, and other equipment for power house, \$91,500.

*McNeil Island, Wash.*

McNeil Island, Washington, Penitentiary: For construction of waterworks system, \$8,200.

*Department of Ag-*  
*riculture.*

## DEPARTMENT OF AGRICULTURE.

*Packers and Stock-*  
*yards Act.*  
*Expenses.*  
*Act, p. 169.*  
*Proviso.*  
*Pay restriction.*

Enforcement of Packers and Stockyards Act: To enable the Secretary of Agriculture to carry into effect the provisions of the Packers and Stockyards Act, approved August 15, 1921, \$200,000: *Provided*, That no person shall be paid from this appropriation at a rate of compensation exceeding \$5,000 per annum.

## LEGISLATIVE.

## HOUSE OF REPRESENTATIVES.

## Legislative.

## House of Representatives.

Rorer A. James.  
Pay to widow.

William E. Mason.  
Pay to widow.

Harry B. Hawes.  
Contested election expenses.

To pay the widow of Rorer A. James, late a Representative from the State of Virginia, \$7,500, to be disbursed by the Sergeant at Arms of the House of Representatives.

To pay to the widow of William E. Mason, late a Representative from the State of Illinois, \$7,500, to be disbursed by the Sergeant at Arms of the House of Representatives.

For payment to Harry B. Hawes for expenses incurred as contestee in the contested election case of Bogy versus Hawes, audited and recommended by the Committee on Elections Numbered One, \$2,000.

## JUDGMENTS, UNITED STATES COURTS.

## Judgments, United States courts.

Payment of.  
Vol. 24, p. 505.

War Department.  
Navy Department.

Interest.

Maryland district court.  
Vol. 41, p. 1523.

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States," certified to Congress during the present session by the Attorney General in Senate Document Numbered 61, and which have not been appealed, namely:

Under the War Department, \$8,385.15.

Under the Navy Department, \$7,233.50.

In all, \$15,618.65, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per centum per annum from the date thereof until the time this appropriation is made.

For payment of the judgment rendered against the United States by the District Court of the United States for the District of Maryland, sitting in Admiralty, and certified to Congress by the Attorney General in Senate Document Numbered 62 of the present session, under the Navy Department, \$1,848.70.

## JUDGMENTS, COURT OF CLAIMS.

## Judgments, Court of Claims.

Payment of.

Classification.

Broadbent Portable Laundry Corporation, excepted.

Right of appeal.

For payment of the judgments rendered by the Court of Claims and reported to Congress during the present session in Senate Document Numbered 63, namely:

Under the Treasury Department, \$166,523.02;

Under the War Department, except the judgment in favor of the Broadbent Portable Laundry Corporation, \$19,012.71;

In all, \$185,535.73.

None of the judgments contained herein shall be paid until the right of appeal shall have expired.

## AUDITED CLAIMS.

## Audited claims.

Payment of, certified by accounting officers.

Vol. 18, p. 110.

Vol. 23, p. 254.

SEC. 2. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department, and by the general accounting office, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1919 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884, as fully set forth in Senate Document Numbered 64, reported to Congress at its present session, there is appropriated as follows:

## Treasury Department.

For salaries and expenses, Bureau of War Risk Insurance, \$120.12.  
 For national security and defense, Bureau of War Risk Insurance, \$2.25.  
 For collecting the revenue from customs, \$12.24.  
 For freight, transportation, and so forth, Public Health Service, 1920, \$464.44.  
 For quarantine service, \$48.30.  
 For interstate quarantine service, 1921, \$469.95.  
 For field investigations of public health, \$18.  
 For maintenance of marine hospitals, Public Health Service, \$80.70.  
 For collecting the war revenue, \$554.75.  
 For collecting the income tax, \$304.50.  
 For miscellaneous expenses, Internal-Revenue Service, \$471.  
 For refunding internal revenue collections, \$1,595.63.  
 For refunding taxes illegally collected, \$1,537.26.  
 For redemption of stamps, \$9.13.  
 For allowance or drawback (internal revenue), \$201.44.  
 For materials and miscellaneous expenses, Bureau of Engraving and Printing, \$26.40.  
 For Coast Guard, \$15,543.94.  
 For contingent expenses, assay office at New York, 1920, \$1,000.  
 For contingent expenses, assay office at New York, \$65.76.  
 For operating supplies for public buildings, \$27.53.  
 For furniture and repairs of same for public buildings, \$31.79.  
 For repairs and preservation of public buildings, \$8.55.  
 For mechanical equipment of public buildings, \$29.15.  
 For general expenses of public buildings, \$3.15.  
 For judgments, Court of Claims, Treasury Department, \$437.62.  
 For contingent expenses, War Department, \$27.05.  
 For increase of compensation, War, Miscellaneous, Civil, 25 cents.  
 For increase of compensation, Military Establishment, \$8,645.64.  
 For contingencies of the Army, \$9.20.  
 For registration and selection for military service, \$1,576.29.  
 For contingencies, Military Intelligence Division, General Staff Corps, 1920, \$2,435.55.  
 For Signal Service of the Army, \$7,545.37.  
 For increase for aviation, Signal Corps, \$2,063.54.  
 For Air Service, military, \$270.90.  
 For Air Service, production, \$393.99.  
 For pay, and so forth, of the Army, \$3,276.85.  
 For mileage to officers and contract surgeons, \$768.16.  
 For arrears of pay, bounty, and so forth, \$54.89.  
 For general appropriations, Quartermaster Corps, \$93,017.18.  
 For transportation of the Army and its supplies, \$122.39.  
 For clothing and camp and garrison equipage, \$7.72.  
 For horses for Cavalry, Artillery, and Engineers, \$149.97.  
 For inland and port storage and shipping facilities, \$42.  
 For medical and hospital department, \$4,099.02.  
 For artificial limbs, \$41.67.  
 For engineer operations in the field, \$2,220.  
 For supplies, services, and transportation, Quartermaster Corps, \$178,956.33.  
 For barracks and quarters, \$5,702.32.  
 For ordnance service, \$543.66.  
 For ordnance stores and supplies, \$133.90.  
 For arming, equipping, and training the National Guard, \$28.16.  
 For encampment and maneuvers, Organized Militia, \$128.88.  
 For armament of fortifications, \$14,856.87.  
 For electrical and sound ranging equipment, \$94.50.

## War Department.

- For proving ground facilities, \$175.05.
- For increase of compensation, rivers and harbors, \$83.81.
- For headstones for graves of soldiers, \$20.50.
- For disposition of remains of officers, soldiers, and civil employees, \$51.24.
- For National Home for Disabled Volunteer Soldiers, Western Branch, \$2.50.
- For contingent and miscellaneous expenses, Hydrographic Office, Navy Department, \$5.85.
- For contingent expenses, Navy Department, \$5.
- For increase of compensation, Naval Establishment, \$16.88.
- For pay, miscellaneous, \$705.38.
- For aviation, Navy, \$2,065.79.
- For pay, Marine Corps, \$3,603.95.
- For maintenance, Quartermaster's Department, Marine Corps, \$3,262.35.
- For contingent, Marine Corps, \$2,263.30.
- For transportation, Bureau of Navigation, \$2,886.30.
- For outfits on first enlistment, Bureau of Navigation, \$424.44.
- For organizing the Naval Reserve Force, \$86.55.
- For instruments and supplies, Bureau of Navigation, \$25.
- For contingent, Bureau of Medicine and Surgery, \$899.24.
- For pay of the Navy, \$19,963.42.
- For provisions, Navy, Bureau of Supplies and Accounts, \$414.23.
- For freight, Bureau of Supplies and Accounts, \$96,355.90.
- For fuel and transportation, Bureau of Supplies and Accounts, \$54.
- For engineering, Bureau of Engineering, \$1,383.08.
- For equipment and operation, building for Interior Department offices, \$12.50. Interior Department.
- For contingent expenses, Department of the Interior, \$3.45.
- For scientific library, Patent Office, \$22.05.
- For medical relief in Alaska, \$833.33.
- For contingent expenses of land offices, \$72.05.
- For salaries, offices of surveyors general, \$272.48.
- For contingent expenses, offices of surveyors general, \$10.
- For protecting public lands, timber, and so forth, \$21.77.
- For surveying the public lands, \$776.57.
- For general expenses, Bureau of Mines, \$3.66.
- For testing fuel, Bureau of Mines, 62 cents.
- For investigating mine accidents, \$22.17.
- For Geological Survey, \$1.93.
- For Army pensions, \$96.
- For relieving distress and prevention, and so forth, of diseases among Indians, \$47.90. Indian service.
- For industrial work and care of timber, \$27.50.
- For Indian school and agency buildings, \$12.75.
- For purchase and transportation of Indian supplies, \$265.03.
- For telegraphing and telephoning, Indian Service, \$6.71.
- For telegraphing and telephoning, Indian Service, 1920, \$34.62.
- For inspectors, Indian Service, \$12.85.
- For Indian school, Fort Mojave, Arizona, \$17.82.
- For Indian school, Lawrence, Kansas, \$114.29.
- For Indian school, Genoa, Nebraska, \$44.55.
- For Indian school, Wahpeton, North Dakota, repairs and improvements, 1920, \$10.60.
- For support of Yankton Sioux, South Dakota, 1920, \$122.80.
- For education, Sioux Nation, South Dakota, 10 cents.
- For support of Indians in Utah, \$41.14.
- For support of Indians of Colville and other agencies and Joseph's Band of Nez Perces, Washington, 91 cents.



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|------------------------------------|---|
|                                    | For support of Chippewas of Lake Superior, Wisconsin, \$14.19.  |
|                                    | For irrigation project, ceded lands, Wind River Reservation, Wyoming (reimbursable), 1920, \$628.23.                    |
|                                    | For irrigation project, ceded lands, Wind River Reservation, Wyoming (reimbursable), 1921, \$427.36.                    |
| Public printing.<br>Executive.     | For public printing and binding, \$57.58.   |
|                                    | For salaries and expenses, Committee on Public Information, \$3.38.   |
|                                    | For national security and defense, Executive, \$415.02.   |
|                                    | For national security and defense, Committee on Public Information, \$114.97.   |
|                                    | For salaries and expenses, War Trade Board, \$146.48.   |
| Department of State.               | For national security and defense, Executive, \$92.92.  |
|                                    | For national security and defense, Department of State, \$31,457.27.  |
|                                    | For transportation of diplomatic and consular officers, \$989.94.   |
|                                    | For transportation of diplomatic and consular officers, 1920, \$1,739.98.   |
|                                    | For transportation of diplomatic and consular officers, 1921, \$1,581.55.   |
|                                    | For contingent expenses, foreign missions, \$108,678.08.  |
|                                    | For contingent expenses, foreign missions, 1920, \$16,913.62.   |
|                                    | For allowance for clerks at consulates, \$400.  |
|                                    | For contingent expenses, United States consulates, \$4,986.20.  |
|                                    | For expenses, interpreters and guards in Turkish Dominion, \$132.80.  |
|                                    | For representation of interests of foreign Governments growing out of hostilities in Europe, and so forth, \$18,777.97. |
|                                    | For relief of American citizens and prisoners of war in Germany, \$240.   |
|                                    | For exposition, city of Panama, 75 cents.   |
|                                    | For relief and protection of American seamen, \$478.79.   |
|                                    | For relief and protection of American seamen, 1920, \$5,485.29.   |
| State, etc., Department buildings. | For fuel, lights, and so forth, State, War, and Navy Department buildings, \$78.51.                                     |
| National Museum.                   | For preservation of collections, National Museum, \$4.53.   |
| Interstate Commerce Commission.    | For Interstate Commerce Commission, \$45.86.  |
| Food and Fuel Administrations.     | For salaries and expenses, United States Food Administration, \$868.52.   |
|                                    | For salaries and expenses, United States Fuel Administration, \$17.19.  |
|                                    | For national security and defense, Food and Fuel Administrations, educational, \$57.15.                                 |
|                                    | For national security and defense, United States Fuel Administration, \$1.89.   |
| Shipping Board.                    | For salaries and expenses, United States Shipping Board, \$160.81.  |
| Supreme court, D. C.               | For miscellaneous expenses, Supreme Court, District of Columbia, 1921, \$1,300.52.                                      |
| Department of Agriculture.         | For library, Department of Agriculture, \$7.62.   |
|                                    | For general expenses, Bureau of Animal Industry, \$3.08.  |
|                                    | For general expenses, Bureau of Plant Industry, \$161.89.   |
|                                    | For stimulating agriculture and facilitating distribution of products, \$57.16.   |
|                                    | For general expenses, Forest Service, \$115.36.   |
|                                    | For general expenses, Bureau of Chemistry, \$16.72.   |
|                                    | For general expenses, Bureau of Entomology, \$1.10.   |
|                                    | For general expenses, Bureau of Biological Survey, \$1.03.  |
|                                    | For general expenses, States Relations Service, \$8.57.   |
|                                    | For general expenses, Office of Public Roads and Rural Engineering, \$5.11.   |
|                                    | For general expenses, Bureau of Markets, \$15.16.   |
|                                    | For general expenses, Bureau of Crop Estimates, \$1.18.   |

For contingent expenses, Department of Commerce, \$2.17. Department of Commerce.  
 For national security and defense, Department of Commerce, 26 cents.  
 For commercial attachés, Department of Commerce, \$16.16.  
 For promoting commerce, Department of Commerce, \$12.43.  
 For gauge standardization, Bureau of Standards, \$38.  
 For military research, Bureau of Standards, \$7.56.  
 For general expenses, Coast and Geodetic Survey, 82 cents.  
 For general expenses, Lighthouse Service, \$40,920.46.  
 For miscellaneous expenses, Bureau of Fisheries, \$1.87.  
 For national security and defense, Department of Labor, \$190.60. Department of Labor.  
 For contingent expenses, Department of Labor, \$4.97.  
 For salaries and expenses, commissioners of conciliation, \$1.01.  
 For expenses of regulating immigration, \$37.12.  
 For expenses of interned aliens, \$45.42.  
 For enforcement of the child labor law, 20 cents.  
 For investigation of child welfare, Children's Bureau, \$42.13. Department of Justice.  
 For detection and prosecution of crimes, \$45.41. United States courts.  
 For national security and defense, Department of Justice, \$43.55.  
 For salaries, fees, and expenses of marshals, United States courts, \$287.52.  
 For salaries and expenses of district attorneys, United States courts, \$1.53.  
 For fees of commissioners, United States courts, \$232.10.  
 For fees of commissioners, United States courts, 1920, \$709.82.  
 For fees of witnesses, United States courts, \$25.20.  
 For support of prisoners, United States courts, \$742. Postal service.  
 For railroad transportation, \$58,106.83.  
 For compensation to postmasters, \$21.58.  
 For city delivery carriers, 1920, \$664.94.  
 For city delivery carriers, 1916-17, \$2,569.96.  
 For indemnity, international mail, \$322.05.  
 For indemnities, domestic mail, \$5.18.  
 For Star Route Service, \$471.76.  
 For electric and cable car service, \$103.83.  
 For Railway Mail Service, miscellaneous expenses, 45 cents.  
 For rent, light, and fuel, \$275.  
 For Rural Delivery Service, \$215.10.  
 For freight on stamped paper and mail bags, \$13.73.  
 For clerks, first and second class post offices, \$49.52.  
 For electric power, light, and so forth, \$137.10.  
 Total audited claims, section 2, \$790,994.43.  
 Approved, August 24, 1921.

CHAP. 90.—An Act Granting Parramore Post Numbered Fifty-seven, American Legion, permission to construct a memorial building on the Federal site at Abilene, Texas.

August 24, 1921.

[H. R. 6614.]

[Public, No. 70.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and empowered to grant an easement to the executive committee of Parramore Post Numbered Fifty-seven, American Legion, and its successors in office, for the use, without expense to the United States, of the strip of land off the Federal building site fronting one hundred and fifty feet on the south side of North Fourth Street and extending southwardly, of that width, along the east side of Pine Street one hundred feet, in block twenty, Abilene, Texas, for the purpose of erecting thereon a memorial building to the soldiers and sailors of Taylor County who

Abilene, Tex.

Part of public building site, may be used for memorial by Parramore Post, American Legion.

*Proviso.*  
Time for construction.

Approval of design.

served in the Great War, said easement to continue as long as such building shall be devoted to the original purpose: *Provided, however,* That said easement shall cease and determine, and the custody and control of said parcel of land shall revert to the United States if said memorial building is not erected thereon within five years from the date of this Act: *And provided further,* That the design and construction of the said memorial building shall be approved by the Secretary of the Treasury.

Approved, August 24, 1921.

August 24, 1921.

[S. 2151.]

[Public, No. 71.]

**CHAP. 91.**—An Act To extend for the period of seven months the provisions of Title II of the Food Control and the District of Columbia Rents Act, approved October 22, 1919, and for other purposes.

District of Columbia rents.

Continued until May 22, 1922.

Vol. 41, pp. 298-304.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Title II of the Food Control and the District of Columbia Rents Act, approved October 22, 1919, shall remain in full force and effect until May 22, 1922.

**SEC. 2.** That the second paragraph of section 101 of such Act is amended to read as follows:

Term construed.  
Vol. 41, p. 298, amended.

"Rental property."  
Buildings, etc., excluded.

"The term 'rental property' means any building or part thereof or land appurtenant thereto in the District of Columbia rented or hired and the service agreed or required by law or by determination of the commission to be furnished in connection therewith; but does not include (a) any portion of a hotel or apartment building, (b) a garage or warehouse, or (c) any other building or part thereof or land appurtenant thereto, used by the tenant exclusively for a business purpose other than the subleasing or otherwise subcontracting for use for living accommodations."

Vol. 41, p. 299, amended.

Compensation of commissioners and secretary.  
Attorney added.

**SEC. 3.** That section 103 of such Act is amended to read as follows:

"**SEC. 103.** Each commissioner shall receive a salary of \$5,000 a year payable monthly. The commission shall appoint a secretary, who shall receive a salary of \$3,000 a year, and an attorney, who shall receive a salary of \$5,000 a year, payable in like manner; and subject to the provisions of the civil service laws, it may appoint and remove such officers, employees, and agents, and make such expenditures for rent, printing, telegrams, telephone, law books, books of reference, periodicals, furniture, stationery, office equipment, and other supplies and expenses as may be necessary to the administration of this title. The attorney appointed by the commission shall appear for and represent the commission in all judicial proceedings and generally perform such professional duties and services as attorney and counsel to the commission as may reasonably be required of him by the commission. All of the expenditures of the commission shall upon the presentation of itemized vouchers therefor approved by the chairman of the commission be audited and paid in the same manner as other expenditures for the District of Columbia.

Employees and expenses authorized.

Duties of attorney.

Accounting.

Appointments from Civil Service eligibles.

"With the exception of the secretary and the attorney, all employees of the commission shall be appointed from lists of eligibles supplied by the Civil Service Commission and in accordance with the civil service law."

New matter.  
Vol. 41, p. 304, amended.

Owners returning excess rentals relieved from penalty.

**SEC. 4.** That Title II of such Act is amended by adding at the end thereof two new sections to read as follows:

"**SEC. 123.** In all cases where the owner of any rental property, apartment, or hotel has, prior to April 18, 1921, collected or received any rent or charge therefor in excess of the amount fixed in a determination of the commission made and in full force and effect in accordance with the provisions of the title, he may within thirty days after this section takes effect return such excess rental or charge to the

tenant directly, and if such return is made within such period the owner shall not become liable under the provisions of section 112 of this Act. An owner who has obtained a judgment against a tenant for, or which includes, such rent or charge in excess of the amount fixed in such a determination of the commission shall move to vacate such judgment to the amount of such excess, within sixty days after this section takes effect. In case such motion is not made and such owner does not exercise reasonable diligence to have such judgment vacated, such judgment, to the amount of such excess, shall be null and void.

Vol. 41, p. 302.  
Judgments obtained for excess of determined rental to be vacated.

Null and void if motion to vacate, not made.

Prosecutions of violations by Attorney General in lieu of commission after Act terminates.

Continuation of proceedings pending when Act terminates.

Enforcement.

Attorney.

Ante, p. 200.

Effective date as to exempted buildings.

"SEC. 124. (a) Any violation of this Act or of any order of the commission, committed before the termination of this Act may, after such termination, be prosecuted by and in the name of the Attorney General in lieu of the commission in the same manner and with the same effect as if this Act had not been terminated.

"(b) In the case of (1) any proceeding begun under the provisions of section 114 before the termination of this Act, or (2) any proceeding on appeal from a determination of the commission begun before the termination of this Act, such proceeding may, after such termination, be continued in the same manner with the same effect as if this Act had not been terminated, and all powers and duties in respect to such proceedings vested in the commission by this Act shall for the purposes of such proceedings be vested in the Attorney General.

"(c) Any right or obligation based upon any provision of this Act or upon any order of the commission, accrued prior to the termination of this Act may, after the termination of this Act, be enforced in the same manner and with the same effect as if this Act had not been terminated.

"(d) The Attorney General may, after the termination of this Act, appoint the attorney last appointed by the commission under the provisions of section 103 to assist in the enforcement of this Act. Such attorney shall continue to receive compensation for such services at the rate of \$5,000 per annum, payable monthly."

SEC. 5. That the provisions of this Act, except section 2, shall take effect upon the enactment of the Act. Section 2 shall take effect on and after October 22, 1921.

Approved, August 24, 1921.

CHAP. 92.—An Act To Amend the Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes," approved March 3, 1921.

August 24, 1921.

[S. 2207.]

[Public, No. 72.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes," approved March 3, 1921, be, and the same is hereby, amended by striking out section 13 and inserting the following in lieu thereof:

District of Columbia.  
Weights, measures, etc., standards.

Vol. 41, p. 1220, amended.

Bread.  
Standard loaf adopted.

One pound and a half added.

Labels required.

"SEC. 13. That the standard loaf of bread manufactured for sale, sold, offered, or exposed for sale in the District of Columbia shall weigh one pound avoirdupois, but bread may also be manufactured for sale, sold, offered, or exposed for sale in loaves of one-half pound, one pound and a half, or multiples of one pound, but shall not be manufactured for sale, sold, offered, or exposed for sale in other than the aforesaid weights. Every loaf of bread manufactured for sale, sold, offered, or exposed for sale in the District of Columbia shall

have affixed thereon, in a conspicuous place, a label at least one inch square, or, if round, at least one inch in diameter, upon which label there shall be printed in plain bold-face Gothic type, not smaller than twelve point, the weight of the loaf in pound, pounds, or fraction of a pound, as the case may be, whether the loaf be a standard loaf or not, the letters and figures of which shall be printed in black ink upon white paper. The business name and address of the maker, baker, or manufacturer of the loaf shall also be plainly printed on each such label. Every seller of bread in the District of Columbia shall keep a suitable scale which shall have been inspected and approved in accordance with the provisions of this Act in a conspicuous place in his bakery, bakeshop, or store, or other place where he is engaged in the sale of bread, and shall, whenever requested by the buyer, and in the presence of the buyer, weigh the loaf or loaves of bread sold or offered for sale. Nothing herein shall apply to crackers, pretzels, buns, rolls, scones, or to loaves of fancy bread weighing less than one-fourth of one pound avoirdupois, or to what is commonly known as stale bread, provided the seller shall, at the time the sale is made, expressly state to the buyer that the bread so sold is stale bread: *Provided*, That any loaf of bread weighing within 10 per centum in excess or within 4 per centum less than standard weight shall be deemed of legal weight."

Approved, August 24, 1921.

August 24, 1921.  
[S. J. Res. 103.]  
[Pub. Res., No. 19.]

**CHAP. 93.**—Joint Resolution Changing the name of the Veterans' Bureau to "United States Veterans' Bureau."

United States Veterans' Bureau.  
Name of Veterans' Bureau changed to.  
*Ante*, p. 147.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Veterans' Bureau, created by the Act entitled "An Act to establish a Veterans' Bureau, and to improve the facilities and service of such bureau, and further to amend and modify the War Risk Insurance Act," approved August 9, 1921, shall be known as the "United States Veterans' Bureau," and whenever used in such Act the term "Veterans' Bureau" shall mean "United States Veterans' Bureau."

Approved, August 24, 1921.

August 24, 1921.  
[H. J. Res. 138.]  
[Pub. Res., No. 20.]

**CHAP. 94.**—Joint Resolution To repeal so much of the Act of Congress approved February 28, 1920, as provides for the sale of Camp Eustis, Virginia.

Camp Eustis, Va.  
Direction for sale of  
repealed.

Vol. 41, p. 454, repealed.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the Act of Congress approved February 28, 1920 (Forty-first Statutes, page 454), as provides: "The Secretary of War is hereby directed to sell the real estate and buildings of said camp to the best advantage of the Government, the proceeds of such sale to be covered into the Treasury to the credit of miscellaneous receipts," be, and the same is hereby, repealed.

Approved, August 24, 1921.

October 5, 1921.  
[H. R. 7578.]  
[Public, No. 73.]

**CHAP. 99.**—An Act Providing for "Visit the Dunes, Michigan City," canceling stamp to be used by Michigan City, Indiana, post office.

Postal service.  
"Visit the Dunes,"  
etc., special canceling  
stamp permitted Michigan City, Ind., post office.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General be, and he is hereby, authorized and directed to permit the use in the post office at Michigan City, Indiana, a special canceling stamp bearing the following words and figures: "Visit the Dunes, Michigan City, Indiana, May 1, 1922, to November 1, 1922."

Approved, October 5, 1921.

CHAP. 100.—An Act To permit the use in the post office at Cincinnati, Ohio, of special canceling stamps bearing the words "Public Health Exposition, Cincinnati, Ohio, October 15 to 22, 1921."

October 5, 1921.  
[H. R. 8365.]  
[Public, No. 74.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby, authorized and directed to permit the use in the post office at Cincinnati, Ohio, of special canceling stamps bearing the following words and figures: "Public Health Exposition, Cincinnati, Ohio, October 15 to 22, 1921."

Postal service.  
"Public Health Exposition," canceling stamp permitted Cincinnati, Ohio, post office.

Approved, October 5, 1921.

CHAP. 101.—Joint Resolution To authorize the loan by the Secretary of War to the commander in chief of the Grand Army of the Republic of cots for the use of the members of the Grand Army of the Republic during the sessions of the grand encampment of the Grand Army of the Republic at Indianapolis, Indiana, from September 24 to October 1, 1921.

October 12, 1921.  
[S. J. Res. 115.]  
[Pub. Res., No. 21.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized to lend not to exceed five thousand cots to the commander in chief of the Grand Army of the Republic for use by members of the Grand Army of the Republic at the grand encampment in Indianapolis from September 24 to October 1, 1921, upon receiving from such commander in chief a bond satisfactory to the Secretary of War to indemnify the United States of America from loss of or injury to such cots or any of them, such indemnity bond to be drawn by and approved by the Secretary of War.

Grand Army of the Republic.  
Army cots loaned to encampment at Indianapolis, Ind.

Approved, October 12, 1921.

CHAP. 102.—Joint Resolution To authorize the loan by the Secretary of War to the commander in chief of the United Confederate Veterans of cots and tents for the use of the members of the United Confederate Veterans during the sessions of the national encampment of the United Confederate Veterans at Chattanooga, Tennessee, from October 24 to October 27, 1921.

October 12, 1921.  
[S. J. Res. 117.]  
[Pub. Res., No. 22.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is authorized to lend not to exceed five thousand cots and five thousand tents to the commander in chief of the United Confederate Veterans at their national encampment to be held in Chattanooga, Tennessee, from October 24 to October 27, 1921, upon receiving from such commander in chief a bond satisfactory to the Secretary of War to indemnify the United States of America from loss or injury to such cots and tents, or any of them, such indemnity bond to be drawn by and approved by the Secretary of War.

United Confederate Veterans.  
Army cots, etc., loaned to encampment at Chattanooga, Tenn.

Approved, October 12, 1921.

CHAP. 103.—Joint Resolution For the bestowal of the congressional medal of honor upon an unknown, unidentified Italian soldier to be buried in the National Monument to Victor Emanuel II, in Rome, Italy.

October 12, 1921.  
[S. J. Res. 122.]  
[Pub. Res., No. 23.]

Whereas the Congress has authorized the bestowal of the congressional medal of honor upon unknown, unidentified British and French soldiers buried in Westminster Abbey, London, England, and the Arc de Triomphe, Paris, France, respectively, who fought beside our soldiers in the recent war; and

Whereas, animated by the same spirit of friendship toward the soldiers of Italy who also fought as comrades of the American

Preamble.  
Vol. 41, p. 1367.

Medal of honor.  
Bestowed on an unknown Italian soldier buried in the Victor Emanuel Monument, Rome, Italy.

soldiers during the World War, we desire to add whatever we can to the imperishable glory won by their deeds and to participate in paying tribute to their unknown dead: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby authorized to bestow, with appropriate ceremonies, military and civil, the congressional medal of honor upon the unknown, unidentified Italian soldier to be buried in the National Monument to Victor Emanuel II, in Rome, Italy.

Approved, October 12, 1921.

October 13, 1921.  
[S. 1970.]  
[Public, No. 75.]

**CHAP. 104.**—An Act Granting the consent of Congress to the counties of Bowie and Cass, State of Texas, for construction of a bridge across Sulphur River, at or near Pettis Bridge on State Highway Numbered Eight, in said counties and State.

Sulphur River.  
Bowie and Cass  
Counties, Tex., may  
bridge.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the counties of Bowie and Cass, State of Texas, to construct, maintain, and operate a bridge and approaches thereto across the Sulphur River at a point suitable to the interests of navigation, at or near the location of Pettis Bridge on Texas State Highway Numbered Eight, as located between Douglassville, in Cass County, and the town of Maud, in Bowie County, State of Texas, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Location.

Construction.  
Vol. 34, p. 84.

Amendment.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, October 13, 1921.

October 13, 1921.  
[S. 2240.]  
[Public, No. 76.]

**CHAP. 105.**—An Act To authorize the construction of a bridge across the Saint Marys River, at or near Saint Marys, Georgia, and Roses Bluff, Florida.

Saint Marys River.  
Saint Marys Bridge  
Company may bridge,  
Saint Marys, Ga.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Saint Marys Bridge Company, a corporation organized under the laws of the State of Georgia, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Saint Marys River, at a point suitable to the interests of navigation and at or near Saint Marys, Camden County, Georgia, known as the "Borrell tract," and to the shore opposite thereto, known as "Roses Bluff," in Nassau County, Florida, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Construction.  
Vol. 34, p. 84.

Amendment.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, October 13, 1921.

October 13, 1921.  
[S. 2430.]  
[Public, No. 77.]

**CHAP. 106.**—An Act To authorize the construction of a bridge across the Saint Marys River, at or near Wilds Landing Ferry, between Camden County, Georgia, and Nassau County, Florida.

Saint Marys River.  
Kingsland Bridge  
Company may bridge,  
Wilds Landing Ferry,  
Ga. and Fla.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Kingsland Bridge Company, a corporation organized under the laws of the State of Georgia, its successors and assigns, be, and is hereby, authorized to

construct, maintain, and operate a bridge and approaches thereto across the Saint Marys River, at a point suitable to the interests of navigation and at or near the present Wilds Landing Ferry, between Camden County, Georgia, and Nassau County, Florida, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Construction.  
Vol. 34, p. 84.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, October 13, 1921.

CHAP. 107.—An Act Authorizing the distribution of abandoned or forfeited tobacco, snuff, cigars, or cigarettes to hospitals maintained by the United States for the use of present or former members of the military or naval forces of the United States.

October 14, 1921.  
[S. 1718.]

[Public, No. 78.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last proviso of section 3369 of the Revised Statutes is amended to read as follows:

Tobacco, etc.  
R. S., sec. 3369, p. 659, amended.

"*And provided further,* That in case it shall appear that any abandoned, condemned, or forfeited tobacco, snuff, cigars, or cigarettes, when offered for sale, will not bring a price equal to the tax due and payable thereon, such goods shall not be sold for consumption in the United States; and upon application made to the Commissioner of Internal Revenue, he is authorized to order the destruction of such tobacco, snuff, cigars, or cigarettes by the officer in whose custody and control the same may be at the time, and in such manner and under such regulations as the Commissioner of Internal Revenue may prescribe, or he may, under such regulations, order delivery of such tobacco, snuff, cigars, or cigarettes, without payment of any tax, to any hospital maintained by the United States for the use of present or former members of the military or naval forces of the United States."

Disposal of forfeited, etc.  
Destruction, or delivery to hospitals for use of soldiers, etc.

Approved, October 14, 1921.

CHAP. 108.—An Act To extend the time for the construction of a bridge across the Rio Grande, within or near the city limits of El Paso, Texas.

October 15, 1921.  
[H. R. 8309.]

[Public, No. 79.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge, authorized by Act of Congress approved October 6, 1917, to be built by the city of El Paso, Texas, across the Rio Grande, within or near the city limits of El Paso, Texas, are hereby extended one and three years, respectively, from the date of approval hereof.

Rio Grande.  
Time extended for bridging, by El Paso, Tex.  
Vol. 40, p. 398, amended.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, October 15, 1921.

CHAP. 109.—An Act To extend the time for the construction of a bridge across the Cumberland River in Montgomery County, Tennessee.

October 15, 1921.  
[H. R. 8309.]

[Public, No. 80.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge authorized by Act of Congress approved August 31, 1919, to be built by the county of Montgomery, State of Tennessee, across the Cumberland River at

Cumberland River.  
Time extended for bridging, by Montgomery County, Tenn., near Clarksville.  
Vol. 41, p. 282, amended.



a point suitable to the interests of navigation and within a distance of seven miles from Clarksville in said county and State, are hereby extended one and three years, respectively, from the date of approval hereof.

**Amendment.**

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, October 15, 1921.

October 17, 1921.

[H. R. 8297.]

[Public, No. 81.]

**CHAP. 110.**—An Act Authorizing the Secretary of the Treasury to convey certain lands to the State of Missouri for enlargement of the State Capitol grounds of that State.

**Missouri.**  
Part of public building site, Jefferson City, granted to, for enlarging Capitol grounds.

**Description.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and empowered to convey by quitclaim deed to the State of Missouri, for enlargement of the State Capitol grounds, and for no other purpose, all the right, title, and interest of the United States of America in and to that portion of Stewart Street, in the rear of the Federal building site, Jefferson City, Missouri, which is particularly described as follows: Beginning at a point at the intersection of the southerly line of Main Street and the concrete curb on the westerly side of Stewart Street, said point being distant north forty-six degrees twenty-four minutes west, fifty-nine feet from the northwesterly corner of the foundation of the two-story brick residence situate at the southeasterly corner of Main and Stewart Streets, running thence south forty-three degrees and thirty-eight minutes west along said curb line one hundred and fifty-one and four-tenths feet to a point on said curb; thence on a curve to the right (the radius of which is ten feet) fifteen and one-half feet to a point of reverse curve to the left; thence along said reverse curve (the radius of which is thirty-eight feet) fifty-nine and one-half feet to the point of tangent to said curve; thence south forty-three degrees and thirty-eight minutes west, twenty-three feet to the northerly line of inlot numbered three hundred and twenty-eight, which is also the southerly line of Stewart Street; thence north forty-six degrees and twenty-four minutes west along the northerly line of said inlot, seventy-six and seven-tenths feet to the northwesterly corner of said inlot; thence north forty-three degrees and thirty-eight minutes east, eighty feet to the northerly line of Stewart Street; thence south forty-six degrees and twenty-four minutes east and along the northerly line of said Stewart Street one hundred and four and seven-tenths feet to the intersection of the westerly line of the north angle of Stewart Street; thence north forty-three degrees and thirty-eight minutes east and along the westerly line of said Stewart Street one hundred and forty-one and eight-tenths feet to the southerly line of Main Street; thence south forty-six degrees and twenty-four minutes east and along the southerly line of Main Street twenty feet to the place of beginning: *Provided, however,* That the State of Missouri shall not have the right to sell or convey the described premises, nor to devote the same to any other purpose than as hereinbefore described, and shall not erect thereon any structures or improvements except such as are incidental to boundaries and ornamentation as part of the State Capitol grounds; and in the event that said premises shall not be used as above provided and as part of the said State Capitol grounds and cared for and maintained as such, the right, title, and interest hereby authorized to be conveyed shall revert to the United States.

**Proviso.**  
Use restricted.

**Reversion for non-user.**

Approved, October 17, 1921.

**CHAP. 111.**—An Act Providing for an International Aero Congress cancellation stamp to be used by the Omaha post office.

October 20, 1921.

[S. 2350.]

[Public, No. 82.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby, authorized and directed to permit the use in the Omaha post office of special canceling stamps bearing the following words and figures: "International Aero Congress, Omaha, November 3 to 5, 1921."

Approved, October 20, 1921.

Postal service.  
"International Aero Congress," etc., special canceling stamp permitted for Omaha, Nebr., post office.

**CHAP. 112.**—Joint Resolution Authorizing the Secretary of War to expend from the appropriation "Disposition of remains of officers, soldiers, and civilian employees, 1922" (Act of March 4, 1921, Public, Numbered 389, Sixty-sixth Congress), such sum as may be necessary to carry out the provisions of public resolution numbered 67, Sixty-sixth Congress.

October 21, 1921.

[S. J. Res. 123.]

[Pub. Res., No. 24.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized to use such portion of the unexpended balance of the appropriation "Disposition of remains of officers, soldiers, and civilian employees, 1922" (Act of March 4, 1921, Public, numbered 389, Sixty-sixth Congress), as may be necessary for the carrying out of the provisions of public resolution numbered 67, Sixty-sixth Congress, entitled "Joint resolution providing for bringing to the United States the body of an unknown American who was a member of the American Expeditionary Forces, who served in Europe and lost his life during the World War, and for burial of the remains with appropriate ceremonies"; and he is further authorized to expend from the said appropriation such sums as may be necessary to defray all expenses incident to the ceremonies connected with the burial of this unknown American, expense of transporting troops, individual officers, warrant officers, enlisted men, and sailors of the Regular Army, Navy, and Marine Corps to and from Washington: *Provided*, That the amount to be used for the expenses incident to ceremonies connected with such burial shall not exceed \$50,000.

Approved, October 21, 1921.

Unknown American soldier.  
Use of fund for expenses of burial ceremonies of, at Arlington Memorial Amphitheater.  
Vol. 41, p. 1386.  
Vol. 41, p. 1447.

*Proviso.*  
*Limit.*

**CHAP. 113.**—An Act Providing for the readmission of certain deficient midshipmen to the United States Naval Academy.

October 22, 1921.

[S. 2504.]

[Public, No. 83.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is authorized, upon application, to admit to and reinstate in the United States Naval Academy, subject to examination as to physical qualifications, as provided by law, but waiving the provisions of law as to age requirements, all former midshipmen at the United States Naval Academy found deficient at the end of the first term of the academic year 1920-21 whose resignations were asked for and received by the Superintendent of the Naval Academy: *Provided*, That they shall upon admission be placed in the class one year behind their former class in each case: *Provided further*, That said midshipmen affected by this Act must signify their acceptance of the benefits thereof by presenting themselves for physical examination within one month of the date of its approval, and if found qualified will enter the Naval Academy immediately.

Naval Academy.  
Reinstatement of midshipmen resigned as deficient in 1921.

*Provisos.*  
In lower class.  
Conditions.

**SEC. 2.** That the clause in the Act approved June 5, 1920 (Forty-first Statutes, page 1028), entitled "An Act making appropriations to supply deficiencies in appropriations for the fiscal year ending

Provisions for reexamination if found deficient repealed.  
Vol. 41, p. 1028, repealed.

June 30, 1920, and for other purposes," which reads as follows: "That until otherwise provided by law no midshipman found deficient at the close of the last and succeeding academic terms shall be involuntarily discontinued at the Naval Academy or in the service unless he shall fail upon reexamination in the subjects in which found deficient at an examination to be held at the beginning of the next and succeeding academic terms, and the Secretary of the Navy shall provide for the special instruction of such midshipmen in the subjects in which found deficient during the period between academic terms," be, and the same hereby is, repealed, and section 1519 of the Revised Statutes restored to its full force and effect.

Approved, October 22, 1921.

October 23, 1921.

[S. 71.]

[Public, No. 34.]

**CHAP. 114.**—An Act For the consolidation of the offices of register and receiver in district land offices in certain cases, and for other purposes.

Public lands.  
Offices of register  
and receiver may be  
consolidated.  
Conditions.  
R. S., sec. 2234, p.  
362, amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to consolidate the offices of register and receiver in any district land office, and to appoint, by and with the advice and consent of the Senate, a register for such land office and to abolish the office of receiver of such land office upon sixty days' notice of such abolition mailed to such register and receiver whenever the total compensation for both register and receiver of such land office shall fall below the sum of \$4,000 per annum, and in his opinion the interests of the service warrant such abolition.

Register to perform  
duties of receiver.

Within sixty days after the mailing of such notice the office of receiver of such land office shall cease to exist, and all the powers, duties, obligations, and penalties imposed by law upon both register and receiver of such office shall be exercised by and imposed upon the register so appointed, who shall be paid a salary of \$500 per annum, together with the fees and commissions otherwise allowable to both register and receiver: *Provided*, That the salary, fees, and commissions of such register shall not exceed \$3,000 per annum.

*Provided.*  
Maximum compen-  
sation.  
Acting register in  
case of vacancy.

**SEC. 2.** That in case of a vacancy in the office of register by reason of death, resignation, or removal, or in case of inability to act, the Secretary of the Interior may designate for the period of such vacancy or inability to act the chief clerk of such office, or any other qualified employee of the Department of the Interior to act as register, subject to the filing of such bond or bonds as the Secretary of the Interior may prescribe, and the same authority is conferred upon the person so designated which such register lawfully possesses, except that no contest or protest shall be decided or disposed of by such clerk or employee, but all such decisions shall be deferred until the appointment or return of the register.

Approved, October 23, 1921.

November 2, 1921.

[H. R. 7848.]

[Public, No. 85.]

**CHAP. 115.**—An Act Authorizing appropriations and expenditures for the administration of Indian affairs, and for other purposes.

Indian Department.  
Authorization of  
specified expendi-  
tures.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Bureau of Indian Affairs, under the supervision of the Secretary of the Interior, shall direct, supervise, and expend such moneys as Congress may from time to time appropriate, for the benefit, care, and assistance of the Indians throughout the United States for the following purposes:

General support and civilization, including education.  
For relief of distress and conservation of health.

For industrial assistance and advancement and general administration of Indian property.

For extension, improvement, operation, and maintenance of existing Indian irrigation systems and for development of water supplies.

For the enlargement, extension, improvement, and repair of the buildings and grounds of existing plants and projects.

For the employment of inspectors, supervisors, superintendents, clerks, field matrons, farmers, physicians, Indian police, Indian judges, and other employees.

For the suppression of traffic in intoxicating liquor and deleterious drugs.

For the purchase of horse-drawn and motor-propelled passenger-carrying vehicles for official use.

And for general and incidental expenses in connection with the administration of Indian affairs.

Approved, November 2, 1921.

CHAP. 116.—Joint Resolution Accepting the invitation of the Republic of Brazil to take part in an international exposition to be held in Rio de Janeiro in 1922.

November 2, 1921.  
[S. J. Res. 114.]  
[Pub. Res., No. 33.]

Whereas the United States has been invited by the Republic of Brazil to take part in an international exposition, to consist of exhibits relating to farming, cattle industry, fisheries, mining and mechanical industries, transportation, communication, commerce, science and fine arts, special emphasis to be placed upon forestal and manufacturing industries, to be held at Rio de Janeiro, commencing the 7th day of September, 1922: Therefore be it

Rio de Janeiro Exposition.  
Preamble.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That said invitation is accepted.

Invitation by Brazil to participate in, accepted.  
Appointment of commissioner general, etc.  
Pay.

SEC. 2. That the President is hereby authorized to appoint a commissioner general and five commissioners to represent the United States in the proposed exposition, the amount of whose compensation shall be determined by the Secretary of State: *Provided*, That two of the said commissioners to be designated by the President shall serve without compensation or allowance for expenses. The said commissioner general shall, under the direction of the Secretary of State, make all needful rules and regulations in reference to the contributions from this country, and to control the expenditure incident to the installation and exhibit thereof, the pay of the commissioner general, commissioners, officials, and employees, and the preparation of the reports of the exposition, and the general results thereof; and he shall make all arrangements necessary for the preparation, transportation, installation, display, and proper care of the exhibits of the Government of the United States, with the cooperation and assistance of the various executive departments, institutions, and branches of the Government that may participate in the exposition, as well as to furnish such information service to private exhibitors and prospective exhibitors as he may deem necessary and feasible: *Provided*, That the executive departments of the Government may designate officials or employees of their respective departments for service in connection with said commission, but no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department where employed, plus such reasonable additional allowance for expenses not now authorized by law as may be deemed proper by the Secretary of State, in view of the fact that such service is to be performed in a foreign country: *Provided further*, That no person appointed or employed by virtue of the provisions of this Act shall receive a greater salary than \$15,000 per annum, and not more than one person shall receive a salary in excess of \$10,000 per annum, and not more than three persons shall receive salaries in excess of \$7,500 per annum.

*Provided*.  
No pay, etc., to two commissioners.  
Authority of commissioner general.

Designation of department officials and employees to assist.  
Allowances restricted.

Pay restriction.

Executive depart-  
ments to loan exhibits.

SEC. 3. That officers and employees of the executive departments and other branches and institutions of the Government in charge of or responsible for the safe-keeping of objects, articles, and so forth, property of the United States, which it is desired to exhibit, may permit such property to pass out of their possession for the purpose of being transported to and from and exhibited at said exposition as may be requested by the commissioner general, such exhibits and articles to be returned to the respective departments and institutions to which they belong at the close of the exposition: *Provided*, That the commissioner general, with the approval of the President, at the close of the exposition, may make such disposition of the buildings and other property of the United States used at the exposition, which it will not be feasible to return to the United States, as he may deem advisable.

*Proviso.*  
Disposition of build-  
ings, etc., at close of  
exposition.

Transportation, etc.,  
to be afforded by Ship-  
ping Board.

SEC. 4. That the Shipping Board is authorized to give the commission such assistance as may be necessary and to make special rates and special sailing schedules for the transportation of governmental and private exhibits and participants to and from the exposition.

Agricultural and for-  
estal exhibits, etc.

SEC. 5. That the Secretary of Agriculture is hereby authorized to collect and prepare suitable specimens of the agricultural and forestal productions of the several States of the Union for exhibition at the exposition, and accompany the same with a report respecting such production, to be printed in the English, Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

Fisheries industries  
exhibits, etc.

SEC. 6. That the Secretary of Commerce is hereby authorized to collect and prepare a suitable exhibit of the fisheries industry of the United States for exhibit at the said exposition and accompany the same with a report respecting such industry, to be printed in the English, Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

Mining industry ex-  
hibits, etc.

SEC. 7. That the Secretary of the Interior is hereby authorized to collect and prepare a suitable exhibit of the mining industry of the United States for exhibition at the said exposition, and to accompany the same with a report respecting such industry, to be printed in the English, Spanish, and Portuguese languages, the expense of the same to be paid out of the appropriation hereinafter provided for.

Appropriation  
authorized for all ex-  
penses.

SEC. 8. That in order to defray the necessary expenses above authorized, including the salaries of commissioners and employees, the cost of preparing the various Government exhibits, transportation, installation, display, and return of exhibits, construction and equipment of building, and acquisition, preparation, and maintenance of site and grounds, the sum of \$1,000,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be immediately available for use by the commissioner general for the purposes of this resolution, and to remain available until expended or no longer required, all expenditures out of said appropriation being made subject to approval by the Secretary of State: *Provided*, That no indebtedness shall be incurred hereunder in excess of the amount herein authorized to be appropriated.

*Proviso.*  
Indebtedness re-  
stricted.

Report to Congress  
after close of exposi-  
tion.

SEC. 9. That it shall be the duty of the Secretary of State to transmit to Congress within six months of the close of said exposition a detailed statement of the expenditures which may have been incurred under the provisions of the resolution, together with all reports called for under sections 5, 6, and 7 of this resolution, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Approved, November 2, 1921.

**CHAP. 117.**—Joint Resolution To declare November 11, 1921, a legal public holiday.

November 4, 1921.  
[H. J. Res. 215.]

[Pub. Res., No. 28.]

Armistice Day, 1921.  
Preamble.

Whereas Armistice Day, November 11, 1921, has been designated as the appropriate time for the ceremonies incident to the burial of the unknown and unidentified American soldier in the Arlington National Cemetery; and

Whereas this unknown soldier represents the manhood of America who gave their lives to defend its integrity, honor, and tranquility against an enemy; and

Whereas the nations of the earth are on that date joining with the United States in paying respect and homage to this unknown soldier: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized to issue a proclamation declaring November 11, 1921, a holiday, as a mark of respect to the memory of those who gave their lives in the late World War, as typified by the unknown and unidentified American soldier who is to be buried in Arlington National Cemetery on that day; and the President is respectfully requested to recommend to the governors of the various States that proclamations be issued by them calling upon their people to pause in their usual pursuits as a mark of respect on this solemn occasion.

Proclamation declaring November 11, 1921, a holiday, to be issued by the President.

Proclamations, p. 23.

Recommendations to governors of the States.

Approved, November 4, 1921.

**CHAP. 118.**—An Act Granting permission to the city of Plainfield, New Jersey, to widen Watchung Avenue in front of the Federal post-office building, and for other purposes.

November 5, 1921.  
[S. 2425.]

[Public, No. 86.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and empowered to convey by quitclaim deed to the city of Plainfield, New Jersey, for street purposes, and for no other purpose, all the right, title, and interest of the United States of America in and to all or any lesser part of a strip of land off the west side and along the Watchung Avenue frontage of the Federal building site in said city ten feet in width, except opposite the entrance steps of the Federal building, where such strip shall be approximately three feet nine inches in width; and the Secretary of the Treasury is hereby authorized and directed to remodel, alter, and repair, and do such other work upon said Federal building, grounds, and approaches as may be necessary, in his opinion, for the accommodation and convenience of the business of the United States on account of the widening of said Watchung Avenue: *Provided, however,* That the said city of Plainfield, as a consideration for such conveyance, shall bear the costs of all of said work upon said Federal building, grounds, and approaches as ascertained by the Secretary of the Treasury: *And provided further,* That the said city of Plainfield shall not have the right to sell or convey the said described premises, nor to devote the same to any other purpose than as hereinbefore provided; and in the event said premises shall not be used for street purposes only and cared for and maintained as are other public streets in said city the right, title, and interest hereby authorized to be conveyed shall revert to the United States.

Plainfield, N. J.  
Part of public building site, conveyed to city, for street purposes.

Remodeling building, etc.

Provisions.  
Costs to be paid by city.

Use restricted.

Reversion, etc.

Approved, November 5, 1921.

November 9, 1921.  
[S. 1072]  
[Public, No. 57.]

CHAP. 119.—An Act To amend the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

Federal Highway Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the Federal Highway Act.

Meaning of terms.

SEC. 2. That, when used in this Act, unless the context indicates otherwise—

"Federal Aid Act."  
Vol. 39, p. 355.

The term "Federal Aid Act" means the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended by sections 5 and 6 of an Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919, and all other Acts amendatory thereof or supplementary thereto.

Vol. 40, p. 1200.

"Highway."

The term "highway" includes rights of way, bridges, drainage structures, signs, guard rails, and protective structures in connection with highways, but shall not include any highway or street in a municipality having a population of two thousand five hundred or more as shown by the last available census, except that portion of any such highway or street along which within a distance of one mile the houses average more than two hundred feet apart.

Limitation.

"State highway department."

The term "State highway department" includes any State department, commission, board, or official having adequate powers and suitably equipped and organized to discharge to the satisfaction of the Secretary of Agriculture the duties herein required.

"Maintenance."

The term "maintenance" means the constant making of needed repairs to preserve a smooth surfaced highway.

"Construction."

The term "construction" means the supervising, inspecting, actual building, and all expenses incidental to the construction of a highway, except locating, surveying, mapping, and costs of rights of way.

"Reconstruction."

The term "reconstruction" means a widening or a rebuilding of the highway or any portion thereof to make it a continuous road, and of sufficient width and strength to care adequately for traffic needs.

"Forest roads."

The term "forest roads" means roads wholly or partly within or adjacent to and serving the national forests.

"State funds."

The term "State funds" includes for the purposes of this Act funds raised under the authority of the State, or any political or other subdivision thereof, and made available for expenditure under the direct control of the State highway department.

Council of National Defense.  
Powers of, in locating highways, etc., transferred to Secretary of Agriculture.  
Vol. 39, p. 650.

SEC. 3. All powers and duties of the Council of National Defense under the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, in relation to highway or highway transport, are hereby transferred to the Secretary of Agriculture, and the Council of National Defense is directed to turn over to the Secretary of Agriculture the equipment, material, supplies, papers, maps, and documents utilized in the exercise of such powers. The powers and duties of agencies dealing with highways in the national parks or in military or naval reservations under the control of the United States Army or Navy, or with highways used principally for military or naval purposes, shall not be taken over by the Secretary of Agriculture, but such highways shall remain under the control and jurisdiction of such agencies.

National parks, military and naval reservations.  
Control of highways in, not disturbed.

Indian reservations.  
Cooperative road construction in.

The Secretary of Agriculture is authorized to cooperate with the State highway departments, and with the Department of the Interior in the construction of public highways within Indian reservations,

and to pay the amount assumed therefor from the funds allotted or apportioned under this Act to the State wherein the reservation is located.

SEC. 4. That the Secretary of Agriculture shall establish an accounting division which shall devise and install a proper method of keeping the accounts.

Accounting division established.

SEC. 5. That the Secretary of War be, and he is hereby, authorized and directed to transfer to the Secretary of Agriculture, upon his request, all war material, equipment, and supplies now or hereafter declared surplus from stock now on hand and not needed for the purposes of the War Department but suitable for use in the improvement of highways, and that the same shall be distributed among the highway departments of the several States to be used in the construction, reconstruction, and maintenance of highways, such distribution to be upon the same basis as that hereinafter provided for in this Act in the distribution of Federal-aid fund: *Provided*, That the Secretary of Agriculture, in his discretion, may reserve from such distribution not to exceed 10 per centum of such material, equipment, and supplies for use in the construction, reconstruction, and maintenance of national forest roads or other roads constructed, reconstructed, or maintained under his direct supervision.

Surplus Army road construction materials, etc., transferred.

Distribution for State use.

*Proviso.* Reservation for national forests, etc.

SEC. 6. That in approving projects to receive Federal aid under the provisions of this Act the Secretary of Agriculture shall give preference to such projects as will expedite the completion of an adequate and connected system of highways, interstate in character.

Interstate highways systems.  
Preference to projects for connected, etc.

Before any projects are approved in any State, such State, through its State highway department, shall select or designate a system of highways not to exceed 7 per centum of the total highway mileage of such State as shown by the records of the State highway department at the time of the passage of this Act.

Mileage to be designated by States.

Upon this system all Federal-aid apportionments shall be expended.

Highways which may receive Federal aid shall be divided into two classes, one of which shall be known as primary or interstate highways, and shall not exceed three-sevenths of the total mileage which may receive Federal aid, and the other which shall connect or correlate therewith and be known as secondary or intercounty highways, and shall consist of the remainder of the mileage which may receive Federal aid.

Federal aid thereto.

Classification of highways.

The Secretary of Agriculture shall have authority to approve in whole or in part the systems as designated or to require modifications or revisions thereof: *Provided*, That the States shall submit to the Secretary of Agriculture for his approval any proposed revisions of the designated systems of highways above provided for.

Approval, etc., of systems.

*Proviso.* Proposed revisions.

Not more than 60 per centum of all Federal aid allotted to any State shall be expended upon the primary or interstate highways until provision has been made for the improvement of the entire system of such highways: *Provided*, That with the approval of any State highway department the Secretary of Agriculture may approve the expenditure of more than 60 per centum of the Federal aid apportioned to such State upon the primary or interstate highways in such State.

Limitation until entire system provided for.

*Proviso.* Additional to primary highways.

The Secretary of Agriculture may approve projects submitted by the State highway departments prior to the selection, designation, and approval of the system of Federal-aid highways herein provided for if he may reasonably anticipate that such projects will become a part of such system.

Approval of prior projects permitted.

Whenever provision has been made by any State for the completion and maintenance of a system of primary or interstate and secondary or intercounty highways equal to 7 per centum of the total mileage of such State, as required by this Act, said State, through its State highway department, by and with the approval of the Sec-

Additional mileage construction authorized when completion of 7 per cent provided for.



retary of Agriculture, is hereby authorized to add to the mileage of primary or interstate and secondary or intercounty systems as funds become available for the construction and maintenance of such additional mileage.

State to provide funds for construction before projects may be approved.

SEC. 7. That before any project shall be approved by the Secretary of Agriculture for any State such State shall make provisions for State funds required each year of such States by this Act for construction, reconstruction, and maintenance of all Federal-aid highways within the State, which funds shall be under the direct control of the State highway department.

Adequate construction materials, etc., required.

SEC. 8. That only such durable types of surface and kinds of materials shall be adopted for the construction and reconstruction of any highway which is a part of the primary or interstate and secondary or intercounty systems as will adequately meet the existing and probable future traffic needs and conditions thereon. The Secretary of Agriculture shall approve the types and width of construction and reconstruction and the character of improvement, repair, and maintenance in each case, consideration being given to the type and character which shall be best suited for each locality and to the probable character and extent of the future traffic.

Approval of types, etc., by Secretary.

Freedom from tolls.

SEC. 9. That all highways constructed or reconstructed under the provisions of this Act shall be free from tolls of all kinds.

Width of roadway, etc.

That all highways in the primary or interstate system constructed after the passage of this Act shall have a right of way of ample width and a wearing surface of an adequate width which shall not be less than eighteen feet, unless, in the opinion of the Secretary of Agriculture, it is rendered impracticable by physical conditions, excessive costs, probable traffic requirements, or legal obstacles.

Apportionment available on certificate from governor of action of State.

SEC. 10. That when any State shall have met the requirements of this Act, the Secretary of the Treasury, upon receipt of certification from the governor of such State to such effect, approved by the Secretary of Agriculture, shall immediately make available to such State, for the purpose set forth in this Act, the sum apportioned to such State as herein provided.

Submission of proposed projects.

SEC. 11. That any State having complied with the provisions of this Act, and desiring to avail itself of the benefits thereof, shall by its State highway department submit to the Secretary of Agriculture project statements setting forth proposed construction or reconstruction of any primary or interstate, or secondary or intercounty highway therein. If the Secretary of Agriculture approve the project, the State highway department shall furnish to him such surveys, plans, specifications, and estimates therefor as he may require; items included for engineering, inspection, and unforeseen contingencies shall not exceed 10 per centum of the total estimated cost of its construction.

Plans, etc., if project approved.

Notification of approval, etc.

That when the Secretary of Agriculture approves such surveys, plans, specifications, and estimates, he shall notify the State highway department and immediately certify the fact to the Secretary of the Treasury. The Secretary of the Treasury shall thereupon set aside the share of the United States payable under this Act on account of such projects, which shall not exceed 50 per centum of the total estimated cost thereof, except that in the case of any State containing unappropriated public lands exceeding 5 per centum of the total area of all lands in the State, the share of the United States payable under this Act on account of such projects shall not exceed 50 per centum of the total estimated cost thereof plus a percentage of such estimated cost equal to one-half of the percentage which the area of the unappropriated public lands in such State bears to the total area of such State: *Provided*, That the limitation of payments not to exceed \$20,000 per mile, under existing law, which the Secretary of

Amount to be set aside therefor.

In public land States.

Proviso.  
Limit increased.

Agriculture may make be, and the same is hereby, increased in proportion to the increased percentage of Federal aid authorized by this section: *Provided further*, That these provisions relative to the public-land States shall apply to all unobligated or unmatched funds appropriated by the Federal Aid Act and payment for approved projects upon which actual building construction work had not begun on the 30th day of June, 1921.

Applicable to unused funds.

Construction, etc., by State highway departments.

Approval by Secretary, etc.

Payment on completion of project.

Advances allowed during construction.

Determination of payments.

Method of payments.

Service of notice to State on failure to maintain highway.

Procedure if not attended to.

Other projects to be refused.

Action if reimbursement by the State.

Authority of Secretary to contract for repairs, etc.

Proviso. Work other than by contract.

SEC. 12. That the construction and reconstruction of the highways or parts of highways under the provisions of this Act, and all contracts, plans, specifications, and estimates relating thereto, shall be undertaken by the State highway departments subject to the approval of the Secretary of Agriculture. The construction and reconstruction work and labor in each State shall be done in accordance with its laws and under the direct supervision of the State highway department, subject to the inspection and approval of the Secretary of Agriculture and in accordance with the rules and regulations pursuant to this Act.

SEC. 13. That when the Secretary of Agriculture shall find that any project approved by him has been constructed or reconstructed in compliance with said plans and specifications, he shall cause to be paid to the proper authorities of said State the amount set aside for said project.

That the Secretary of Agriculture may, in his discretion, from time to time, make payments on such construction or reconstruction as the work progresses, but these payments, including previous payments, if any, shall not be more than the United States pro rata part of the value of the labor and materials which have been actually put into such construction or reconstruction in conformity to said plans and specifications. The Secretary of Agriculture and the State highway department of each State may jointly determine at what time and in what amounts payments as work progresses shall be made under this Act.

Such payments shall be made by the Secretary of the Treasury, on warrants drawn by the Secretary of Agriculture, to such official or officials or depository as may be designated by the State highway department and authorized under the laws of the State to receive public funds of the State.

SEC. 14. That should any State fail to maintain any highway within its boundaries after construction or reconstruction under the provisions of this Act, the Secretary of Agriculture shall then serve notice upon the State highway department of that fact, and if within ninety days after receipt of such notice said highway has not been placed in proper condition of maintenance, the Secretary of Agriculture shall proceed immediately to have such highway placed in a proper condition of maintenance and charge the cost thereof against the Federal funds allotted to such State, and shall refuse to approve any other project in such State, except as hereinafter provided.

Upon the reimbursement by the State of the amount expended by the Federal Government for such maintenance, said amount shall be paid into the Federal highway fund for reapportionment among all the States for the construction of roads under this Act, and the Secretary of Agriculture shall then approve further projects submitted by the State as in this Act provided.

Whenever it shall become necessary for the Secretary of Agriculture under the provisions of this Act to place any highway in a proper condition of maintenance the Secretary of Agriculture shall contract with some responsible party or parties for doing such work: *Provided, however*, That in case he is not able to secure a satisfactory contract he may purchase, lease, hire, or otherwise obtain all necessary supplies, equipment, and labor, and may operate and maintain such motor and other equipment and facilities as in his

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|---|--|
|   | judgment are necessary for the proper and efficient performance of his functions.  |
| Map of approved systems, etc., to be prepared.      | SEC. 15. That within two years after this Act takes effect the Secretary of Agriculture shall prepare, publish, and distribute a map showing the highways and forest roads that have been selected and approved as a part of the primary or interstate, and the secondary or intercounty systems, and at least annually thereafter shall publish supplementary maps showing his program and the progress made in selection, construction, and reconstruction.  |
| Annual supplements.                                 | SEC. 16. That for the purpose of this Act the consent of the United States is hereby given to any railroad or canal company to convey to the highway department of any State any part of its right of way or other property in that State acquired by grant from the United States.  |
| Conveyance of public rights of way consented to.    | SEC. 17. That if the Secretary of Agriculture determines that any part of the public lands or reservations of the United States is reasonably necessary for the right of way of any highway or forest road or as a source of materials for the construction or maintenance of any such highway or forest road adjacent to such lands or reservations, the Secretary of Agriculture shall file with the Secretary of the department supervising the administration of such land or reservation a map showing the portion of such lands or reservations which it is desired to appropriate.  |
| Use of public lands for rights of way or materials. | If within a period of four months after such filing the said Secretary shall not have certified to the Secretary of Agriculture that the proposed appropriation of such land or material is contrary to the public interest or inconsistent with the purposes for which such land or materials have been reserved, or shall have agreed to the appropriation and transfer under conditions which he deems necessary for the adequate protection and utilization of the reserve, then such land and materials may be appropriated and transferred to the State highway department for such purposes and subject to the conditions so specified.   |
| Application for.                                    | If at any time the need for any such lands or materials for such purposes shall no longer exist, notice of the fact shall be given by the State highway department to the Secretary of Agriculture, and such lands or materials shall immediately revert to the control of the Secretary of the department from which they had been appropriated.  |
| Transfer to State authorities if not objected to.   | SEC. 18. That the Secretary of Agriculture shall prescribe and promulgate all needful rules and regulations for the carrying out of the provisions of this Act, including such recommendations to the Congress and the State highway departments as he may deem necessary for preserving and protecting the highways and insuring the safety of traffic thereon.   |
| Reversion when no longer needed.                    | SEC. 19. That on or before the first Monday in December of each year the Secretary of Agriculture shall make a report to Congress, which shall include a detailed statement of the work done, the status of each project undertaken, the allocation of appropriations, an itemized statement of the expenditures and receipts during the preceding fiscal year under this Act, an itemized statement of the traveling and other expenses, including a list of employees, their duties, salaries, and traveling expenses, if any, and his recommendations, if any, for new legislation amending or supplementing this Act. The Secretary of Agriculture shall also make such special reports as Congress may request. |
| Rules, etc., to be prescribed.                      | SEC. 20. That for the purpose of carrying out the provisions of this Act there is hereby appropriated, out of the moneys in the Treasury not otherwise appropriated, \$75,000,000 for the fiscal year ending June 30, 1922, \$25,000,000 of which shall become immediately   |
| Annual detailed statements from Secretary.          |  |
| Special report.                                     |  |
| Appropriation for fiscal year 1922.                 |  |

available, and \$50,000,000 of which shall become available January 1, 1922.

SEC. 21. That so much, not to exceed 2½ per centum, of all moneys hereby or hereafter appropriated for expenditure under the provisions of this Act, as the Secretary of Agriculture may deem necessary for administering the provisions of this Act and for carrying on necessary highway research and investigational studies independently or in cooperation with the State highway departments and other research agencies, and for publishing the results thereof, shall be deducted for such purposes, available until expended.

Administration, etc., expenses to be deducted.

Within sixty days after the close of each fiscal year the Secretary of Agriculture shall determine what part, if any, of the sums theretofore deducted for such purposes will not be needed and apportion such part, if any, for the fiscal year then current in the same manner and on the same basis as are other amounts authorized by this Act apportioned among all the States, and shall certify such apportionment to the Secretary of the Treasury and to the State highway departments.

Apportionment of unexpended balances.

The Secretary of Agriculture, after making the deduction authorized by this section, shall apportion the remainder of the appropriation made for expenditure under the provision of the Act for the fiscal year among the several States in the following manner: One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census; one-third in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural delivery and star routes in all the States at the close of the next preceding fiscal year, as shown by certificate of the Postmaster General, which he is directed to make and furnish annually to the Secretary of Agriculture: *Provided*, That no State shall receive less than one-half of 1 per centum of each year's allotment. All moneys herein or hereafter appropriated for expenditure under the provisions of this Act shall be available until the close of the second succeeding fiscal year for which apportionment was made: *Provided further*, That any sums apportioned to any State under the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all Acts amendatory thereof and supplemental thereto, shall be available for expenditure in that State for the purpose set forth in such Acts until two years after the close of the respective fiscal years for which any such sums become available, and any amount so apportioned remaining unexpended at the end of the period during which it is available for expenditure under the terms of such Acts shall be reapportioned according to the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916: *And provided further*, That any amount apportioned under the provisions of this Act unexpended at the end of the period during which it is available for expenditure under the terms of this section shall be reapportioned within sixty days thereafter to all the States in the same manner and on the same basis, and certified to the Secretary of the Treasury and the State highway departments in the same way as if it were being apportioned under this Act for the first time.

Ratio of apportionment.

To area.

To population.

To rural delivery and star routes mileage.

Proviso. Minimum. Available for succeeding year.

Apportionment under former laws available for two years. Vol. 39, p. 356; Vol. 40, p. 1201.

Unexpended balances to be apportioned according to same laws.

Reapportionment of unexpended balances to States.

SEC. 22. That within sixty days after the approval of this Act the Secretary of Agriculture shall certify to the Secretary of the Treasury and to each of the State highway departments the sum he has estimated to be deducted for administering the provisions of this Act and the sums which he has apportioned to each State for the fiscal year ending June 30, 1922, and on or before January 20 next preceding

Certification of amounts apportioned for each year.

National forests.  
Appropriation for  
roads and trails in, for  
1922 and 1923.

Amount authorized  
for roads and trails of  
primary importance to  
National forests.

To develop resources  
of adjacent communi-  
ties, etc.  
Apportionment.

Balance for roads of  
primary importance to  
adjacent communities,  
etc.  
Apportionment.

Acceptance of State,  
etc., cooperation.

Construction by  
States, etc.

Contracts for con-  
struction work.

Work by the Secre-  
tary.

Use of appropri-  
ations for expenses.

Temporary approval  
of projects when State  
laws do not allow use  
of its funds.

the commencement of each succeeding fiscal year, and shall make like certificates for each fiscal year.

SEC. 23. That out of the moneys in the Treasury not otherwise appropriated, there is hereby appropriated for the survey, construction, reconstruction, and maintenance of forest roads and trails, the sum of \$5,000,000 for the fiscal year ending June 30, 1922, available immediately and until expended, and \$10,000,000 for the fiscal year ending June 30, 1923, available until expended.

(a) Fifty per centum, but not to exceed \$3,000,000 for any one fiscal year, of the appropriation made or that may hereafter be made for expenditure under the provisions of this section shall be expended under the direct supervision of the Secretary of Agriculture in the survey, construction, reconstruction, and maintenance of roads and trails of primary importance for the protection, administration, and utilization of the national forests, or when necessary, for the use and development of resources upon which communities within or adjacent to the national forests are dependent, and shall be apportioned among the several States, Alaska, and Porto Rico by the Secretary of Agriculture, according to the relative needs of the various national forests, taking into consideration the existing transportation facilities, value of timber, or other resources served, relative fire danger, and comparative difficulties of road and trail construction.

The balance of such appropriations shall be expended by the Secretary of Agriculture in the survey, construction, reconstruction, and maintenance of forest roads of primary importance to the State, counties, or communities within, adjoining, or adjacent to the national forests, and shall be prorated and apportioned by the Secretary of Agriculture for expenditures in the several States, Alaska, and Porto Rico, according to the area and value of the land owned by the Government within the national forests therein as determined by the Secretary of Agriculture from such information, investigation, sources, and departments as the Secretary of Agriculture may deem most accurate.

(b) Cooperation of Territories, States, and civil subdivisions thereof may be accepted but shall not be required by the Secretary of Agriculture.

(c) The Secretary of Agriculture may enter into contracts with any Territory, State, or civil subdivision thereof for the construction, reconstruction, or maintenance of any forest road or trail or part thereof.

(d) Construction work on forest roads or trails estimated to cost \$5,000 or more per mile, exclusive of bridges, shall be advertised and let to contract.

If such estimated cost is less than \$5,000 per mile, or if, after proper advertising, no acceptable bid is received, or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account; and for such purpose the Secretary of Agriculture may purchase, lease, hire, rent, or otherwise obtain all necessary supplies, materials, tools, equipment, and facilities required to perform the work.

The appropriation made in this section or that may hereafter be made for expenditure under the provisions of this section may be expended for the purpose herein authorized and for the payment of wages, salaries, and other expenses for help employed in connection with such work.

SEC. 24. That in any State where the existing constitution or laws will not permit the State to provide revenues for the construction, reconstruction, or maintenance of highways, the Secretary of Agriculture shall continue to approve projects for said State until three years after the passage of this Act, if he shall find that said State has complied with the provisions of this Act in so far as its existing constitution and laws will permit.

SEC. 25. That if any provision of this Act, or the application thereof to any person or circumstances, shall be held invalid, the validity of the remainder of the Act and of the application of such provision to other persons or circumstances shall not be affected thereby.

Invalidity of any provision, etc., not to affect remainder of Act.

SEC. 26. That all Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed, and this Act shall take effect on its passage.

Inconsistent laws repealed.

Approved, November 9, 1921.

CHAP. 120.—An Act To authorize the construction of a bridge across Pearl River, between Meeks Ferry and Grigsbys Ferry and between Madison County, Mississippi, and Rankin County, Mississippi.

November 14, 1921.  
[S. 2447.]  
[Public, No. 88.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Pearl River Valley Lumber Company is hereby authorized to construct a bridge across Pearl River, at a point suitable to the interests of navigation, between Meeks Ferry and Grigsbys Ferry and between Madison County, Mississippi, and Rankin County, Mississippi, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Pearl River.  
Pearl River Valley Lumber Company may bridge, Meeks Ferry to Grigsby Ferry, Miss.

Construction.  
Vol. 34, p. 84.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 14, 1921.

CHAP. 121.—An Act To authorize the construction of drawless bridges across a certain portion of the Charles River in the State of Massachusetts.

November 14, 1921.  
[H. R. 6152.]  
[Public, No. 89.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Metropolitan Park Commission, or any town or city, or any other public body authorized by the State of Massachusetts, all or any of them, be, and they hereby are, authorized to construct, at any time hereafter, drawless bridges across the Charles River in the State of Massachusetts connecting Massachusetts Avenue in Cambridge and Massachusetts Avenue in Boston, and at any other points upon said river at, near, or above said Massachusetts Avenue: *Provided*, That said bridges shall be at least twelve feet above the ordinary level of the water in the basin over the main ship channel, and the piers and other obstructions to the flow of the river shall be constructed in such form and in such places as the Secretary of War shall approve: *Provided further*, That before the construction of said bridges or any of them is begun, the State of Massachusetts shall, by legislative enactment, provide for adequate compensation for the owner, owners, lessee, or lessees of property abutting on said river above any of the said bridges, for damages, if any, caused to said property or leasehold interests therein by reason of interference with the access by water to said property, due to the construction of bridges without draws: *And provided further*, That the said legislative enactment shall provide for the appointment of three commissioners to hear the parties in interest and assess the damages to said property; their decision as to the amount of damages and questions of fact to be final; said commissioners to be appointed by the Supreme Judicial Court of Massachusetts. Except as inconsistent herewith, this Act shall be subject to the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Charles River.  
Drawless bridges authorized across, by State authorities, between Boston and Cambridge, Mass.

Previous.  
Height, etc.

Compensation for damages to property owners required.

State commissioners to assess.

Construction.  
Vol. 34, p. 84.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 14, 1921.

November 14, 1921.

[H. R. 8477.]

[Public, No. 90.]

Choctawhatchee River.  
Time extended for bridging, Caryville, Fla.  
Vol. 41, p. 358, amended.

Amendment.

**CHAP. 122.**—An Act To extend the time for the construction of a bridge across the Choctawhatchee River, near Caryville, Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge and approaches thereto authorized by the Act of Congress approved November 19, 1919, to be constructed by the State Road Department of the State of Florida, across the Choctawhatchee River, near Caryville, Florida, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 14, 1921.

November 16, 1921.

[H. R. 8643.]

[Public, No. 91.]

Emergency Tariff Act.  
Tariff and dyes and chemicals provisions continued in force.  
Act, pp. 9, 18, 191.

**CHAP. 123.**—An Act To extend the Tariff Act approved May 27, 1921.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Titles I and V of the Act entitled "An Act imposing temporary duties upon certain agricultural products to meet present emergencies and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes," approved May 27, 1921, shall continue in force until otherwise provided by law.

Approved, November 16, 1921.

November 17, 1921.

[H. R. 8298.]

[Public, No. 92.]

United States courts.  
R. S., 1044, p. 193, amended.

Criminal cases.  
Not trial, etc., allowed unless indictment found, etc., within three years of offense.

Proviso.  
For frauds against United States limited to six years.

Application to prior acts.

Effective date.

**CHAP. 124.**—An Act To amend section 1044 of the Revised Statutes of the United States relating to limitations in criminal cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1044 of the Revised Statutes of the United States be amended so as to read as follows:

"SEC. 1044. No person shall be prosecuted, tried, or punished for any offense, not capital, except as provided in section 1046, unless the indictment is found, or the information is instituted, within three years next after such offense shall have been committed: *Provided, however,* That in offenses involving the defrauding or attempts to defraud the United States or any agency thereof, whether by conspiracy or not, and in any manner, and now indictable under any existing statutes, the period of limitation shall be six years. This Act shall apply to acts, offenses, or transactions where the existing statute of limitations has not yet fully run, but this proviso shall not apply to acts, offenses, or transactions which are already barred by the provisions of existing laws."

SEC. 2. That this Act shall be in force and effect from and after the date of its passage.

Approved, November 17, 1921.

November 17, 1921.

[H. J. Res. 161.]

[Pub. Res., No. 27.]

National forests.  
Deferred grazing fees paid considered as receipts of fiscal year 1921.

**CHAP. 125.**—Joint Resolution To provide that deferred grazing fees received prior to December 31, 1921, shall be considered as receipts of the fiscal year 1921.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of apportioning the 25 per centum of the accrued receipts from national forests during the fiscal year ending June 30, 1921, which are due

and payable to the States under the Act of May 23, 1908, and the 10 per centum of said receipts which may be expended by the Secretary of Agriculture under the Act of March 4, 1913 (Thirty-seventh Statutes, page 828), for the construction and maintenance of roads and trails within the national forests, all moneys which are received by the Secretary of Agriculture prior to December 31, 1921, as deferred grazing fees authorized to be so paid under the Act of March 3, 1921 (Public, Numbered 367, page 18), shall be considered as receipts of the fiscal year 1921.

Approved, November 17, 1921.

Vol. 37, p. 828.

Vol. 41, p. 1330.  
Ams, p. 186.

**CHAP. 128.**—An Act To amend an Act entitled "An Act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, as amended.

November 18, 1921.  
[H. R. 8442.]  
[Public, No. 93.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, as amended, is further amended by adding at the end of section 2 a proviso to read as follows:

Alaska railroads.  
Vol. 38, p. 307, amended.

"*Provided further,* That in order to complete the construction and equipment of the railroad between Seward and Fairbanks, together with necessary sidings, spurs, and lateral branches, there is hereby authorized to be appropriated, in addition to all sums heretofore appropriated therefor, the sum of \$4,000,000, to be immediately and continuously available until expended."

Additional sum authorized for constructing, etc., Seward to Fairbanks.  
Vol. 41, p. 228.

Approved, November 18, 1921.

**CHAP. 132.**—An Act In reference to a national military park on the plains of Chalmette, below the city of New Orleans.

November 19, 1921.  
[H. R. 2232.]  
[Public, No. 94.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, directed to investigate the feasibility of establishing a national military park on the plains of Chalmette, below the city of New Orleans, where was fought on January 8, 1815, the Battle of New Orleans, and to prepare plans of such park and estimate of the cost therefor, and obtain such further information as may enable Congress to act upon the matter after being fully advised.

Chalmette Military Park.  
Investigation for establishing the site of battle of New Orleans, La., 1815.

**SEC. 2.** That the expenses of the investigation herein directed to be made shall be paid from the appropriation "Contingencies of the Army."

Expenses from Army contingencies.  
Ams, p. 68.

Approved, November 19, 1921.

**CHAP. 133.**—An Act Authorizing a per capita payment to the Chippewa Indians of Minnesota from their tribal funds held in trust by the United States.

November 19, 1921.  
[H. R. 7106.]  
[Public, No. 95.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889 (Twenty-fifth Statutes at Large, page 642), entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to make therefrom a per capita payment, or

Chippewa Indians in Minnesota.  
Per capita payment from tribal funds to enrolled members.



distribution, of \$100 to each enrolled member of the tribe, under such rules and regulations as the said Secretary may prescribe: *Provided*, That the money paid to the Indians as authorized herein, shall not be subject to any lien or claim of attorneys or other parties: *Provided*, That before any payment is made hereunder the Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this act and accept the same.

Approved, November 19, 1921.

November 23, 1921.  
[H. R. 7294.]  
[Public, No. 96.]

**CHAP. 134.—An Act Supplemental to the National Prohibition Act.**

Supplement to National Prohibition Act.  
Vol. 41, p. 307.  
Meaning of terms.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the words "person," "commissioner," "application," "permit," "regulation," and "liquor," and the phrase "intoxicating liquor," when used in this Act, shall have the same meaning as they have in Title II of the National Prohibition Act.

Spiruous and vinous liquors only may be prescribed as medicines.  
Alcohol limitations.

**SEC. 2.** That only spirituous and vinous liquor may be prescribed for medicinal purposes, and all permits to prescribe and prescriptions for any other liquor shall be void. No physician shall prescribe, nor shall any person sell or furnish on any prescription, any vinous liquor that contains more than 24 per centum of alcohol by volume, nor shall anyone prescribe or sell or furnish on any prescription more than one-fourth of one gallon of vinous liquor, or any such vinous or spirituous liquor that contains separately or in the aggregate more than one-half pint of alcohol, for use by any person within any period of ten days. No physician shall be furnished with more than one hundred prescription blanks for use in any period of ninety days, nor shall any physician issue more than that number of prescriptions within any such period unless on application therefor he shall make it clearly apparent to the commissioner that for some extraordinary reason a larger amount is necessary, whereupon the necessary additional blanks may be furnished him. But this provision shall not be construed to limit the sale of any article the manufacture of which is authorized under section 4, Title II, of the National Prohibition Act.

Limit of prescription blanks, etc.

Sale of nonbeverage articles not affected.  
Vol. 41, p. 309.

If the commissioner shall find after hearing, upon notice as required in section 5 of Title II of the National Prohibition Act, that any article enumerated in subdivisions b, c, d, or e of section 4 of Title II of said National Prohibition Act is being used as a beverage, or for intoxicating beverage purposes, he may require a change of formula of such article and in the event that such change is not made within a time to be named by the commissioner he may cancel the permit for the manufacture of such article unless it is made clearly to appear to the commissioner that such use can only occur in rare or exceptional instances, but such action of the commissioner may by appropriate proceedings in a court of equity be reviewed, as provided for in section 5, Title II, of said National Prohibition Act: *Provided*, That no change of formula shall be required and no permit to manufacture any article under subdivision (E), section 4, Title II of the National Prohibition Act shall be revoked unless the sale or use of such article is substantially increased in the community by reason of its use as a beverage or for intoxicating beverage purposes.

Nonbeverage articles.  
Change of formulas for, may be ordered if used as beverages.

Cancellation of permits authorized.

Review by court.  
Vol. 41, p. 309.

*Proviso.*  
Restriction of action as to flavoring extracts.

Importing or manufacturing spirituous liquors forbidden until present supply insufficient for nonbeverage uses.

No spirituous liquor shall be imported into the United States, nor shall any permit be granted authorizing the manufacture of any spirituous liquor, save alcohol, until the amount of such liquor now in distilleries or other bonded warehouses shall have been reduced to a quantity that in the opinion of the commissioner will, with liquor that may thereafter be manufactured and imported, be sufficient to

supply the current need thereafter for all nonbeverage uses: *Provided*, That no vinous liquor shall be imported into the United States unless it is made to appear to the commissioner that vinous liquor for such nonbeverage use produced in the United States is not sufficient to meet such nonbeverage needs: *Provided further*, That this provision against importation shall not apply to shipments en route to the United States at the time of the passage of this Act: *And provided further*, That the commissioner may authorize the return to the United States under such regulations and conditions as he may prescribe any distilled spirits of American production exported free of tax and reimported in original packages in which exported and consigned for redeposit in the distillery bonded warehouse from which originally removed.

SEC. 3. That this Act and the National Prohibition Act shall apply not only to the United States but to all territory subject to its jurisdiction, including the Territory of Hawaii and the Virgin Islands; and jurisdiction is conferred on the courts of the Territory of Hawaii and the Virgin Islands to enforce this Act and the National Prohibition Act in such Territory and Islands.

SEC. 4. That regulations may be made by the commissioner to carry into effect the provisions of this Act. Any person who violates any of the provisions of this Act shall be subject to the penalties provided for in the National Prohibition Act.

SEC. 5. That all laws in regard to the manufacture and taxation of and traffic in intoxicating liquor, and all penalties for violations of such laws that were in force when the National Prohibition Act was enacted, shall be and continue in force, as to both beverage and nonbeverage liquor, except such provisions of such laws as are directly in conflict with any provision of the National Prohibition Act or of this Act; but if any act is a violation of any of such laws and also of the National Prohibition Act or of this Act, a conviction for such act or offense under one shall be a bar to prosecution therefor under the other. All taxes and tax penalties provided for in section 35 of Title II of the National Prohibition Act shall be assessed and collected in the same manner and by the same procedure as other taxes on the manufacture of or traffic in liquor.

If distilled spirits upon which the internal-revenue tax has not been paid are lost by theft, accidental fire, or other casualty while in possession of a common carrier subject to the Transportation Act of 1920 or the Merchant Marine Act, 1920, or if lost by theft from a distillery or other bonded warehouse, and it shall be made to appear to the commissioner that such losses did not occur as the result of negligence, connivance, collusion, or fraud on the part of the owner or person legally accountable for such distilled spirits, no tax shall be assessed or collected upon the distilled spirits so lost, nor shall any tax penalty be imposed or collected by reason of such loss, but the exemption from the tax and penalty shall only be allowed to the extent that the claimant is not indemnified against or recompensed for such loss. This provision shall apply to any claim for taxes or tax penalties that may have accrued since the passage of the National Prohibition Act or that may accrue hereafter. Nothing in this section shall be construed as in any manner limiting or restricting the provisions of Title III of the National Prohibition Act.

SEC. 6. That any officer, agent, or employee of the United States engaged in the enforcement of this Act, or the National Prohibition Act, or any other law of the United States, who shall search any private dwelling as defined in the National Prohibition Act, and occupied as such dwelling, without a warrant directing such search, or who while so engaged shall without a search warrant maliciously and without reasonable cause search any other building or property,

*Proviso.*  
Importing vinous liquors for nonbeverage uses restricted.

Shipments en route excepted.

Return of distilled spirits exported free of tax, permitted.

Prohibition provisions extended to all United States territory.  
Enforcement in Hawaii and Virgin Islands.

Regulations to be prescribed.  
Violations penalized.

Existing laws not conflicting with National Prohibition Act, continued.

Conviction under either a bar to prosecution under the other.

Tax assessment, etc.  
Vol. 41, p. 317.

Tax, etc., exemption on spirits lost by theft, etc., without negligence, collusion, etc., if no tax paid.

Limit of exemption.

Applicable to present claims, etc.

Industrial alcohol not affected.  
Vol. 41, p. 319.

Searching private dwelling, etc., by enforcement officials without search warrant, a misdemeanor.

**Punishment for.** shall be guilty of a misdemeanor and upon conviction thereof shall be fined for a first offense not more than \$1,000, and for a subsequent offense not more than \$1,000 or imprisoned not more than one year, or both such fine and imprisonment.

**Arrests, etc., by person falsely claiming to be United States official, a misdemeanor.** Whoever not being an officer, agent, or employee of the United States shall falsely represent himself to be such officer, agent, or employee and in such assumed character shall arrest or detain any person, or shall in any manner search the person, buildings, or other property of any person, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000, or imprisoned for not more than one year, or by both such fine and imprisonment.

**Punishment for.**

Approved, November 23, 1921.

November 23, 1921.  
[S. 1039.]  
[Public, No. 97.]

**CHAP. 135.**—An Act For the promotion of the welfare and hygiene of maternity and infancy, and for other purposes.

**Maternity and infancy.** *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the sums specified in section 2 of this Act, to be paid to the several States for the purpose of cooperating with them in promoting the welfare and hygiene of maternity and infancy as hereinafter provided.

**Permanent annual appropriations authorized for five years.** **SEC. 2.** For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the current fiscal year \$480,000, to be equally apportioned among the several States, and for each subsequent year, for the period of five years, \$240,000, to be equally apportioned among the several States in the manner hereinafter provided: *Provided,* That there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this Act, for the fiscal year ending June 30, 1922, an additional sum of \$1,000,000, and annually thereafter, for the period of five years, an additional sum not to exceed \$1,000,000: *Provided further,* That the additional appropriations herein authorized shall be apportioned \$5,000 to each State and the balance among the States in the proportion which their population bears to the total population of the States of the United States, according to the last preceding United States census: *And provided further,* That no payment out of the additional appropriation herein authorized shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State for the maintenance of the services and facilities provided for in this Act.

**Provisions.** **Additional sums authorized.** So much of the amount apportioned to any State for any fiscal year as remains unpaid to such State at the close thereof shall be available for expenditures in that State until the close of the succeeding fiscal year.

**Manner of apportionment.** **SEC. 3.** There is hereby created a Board of Maternity and Infant Hygiene, which shall consist of the Chief of the Children's Bureau, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education, and which is hereafter designated in this Act as the Board. The Board shall elect its own chairman and perform the duties provided for in this Act.

**Subject to equal sums by States.** The Children's Bureau of the Department of Labor shall be charged with the administration of this Act, except as herein otherwise provided, and the Chief of the Children's Bureau shall be the executive officer. It shall be the duty of the Children's Bureau to make or cause to be made such studies, investigations, and reports as will promote the efficient administration of this Act.

**Balances available for succeeding year.**

**Board of Maternity and Infant Hygiene.** **Creation and composition of.**

**Children's Bureau, Department of Labor.** **Administration of Act by.**

**Duties.**

SEC. 4. In order to secure the benefits of the appropriations authorized in section 2 of this Act, any State shall, through the legislative authority thereof, accept the provisions of this Act and designate or authorize the creation of a State agency with which the Children's Bureau shall have all necessary powers to cooperate as herein provided in the administration of the provisions of this Act: *Provided*, That in any State having a child-welfare or child-hygiene division in its State agency of health, the said State agency of health shall administer the provisions of this Act through such divisions. If the legislature of any State has not made provision for accepting the provisions of this Act the governor of such State may in so far as he is authorized to do so by the laws of such State accept the provisions of this Act and designate or create a State agency to cooperate with the Children's Bureau until six months after the adjournment of the first regular session of the legislature in such State following the passage of this Act.

Acceptance and action by State legislature required.

*Proviso.*  
Use of State agencies.

Temporary acceptance by Governor awaiting legislative action.

SEC. 5. So much, not to exceed 5 per centum, of the additional appropriations authorized for any fiscal year under section 2 of this Act, as the Children's Bureau may estimate to be necessary for administering the provisions of this Act, as herein provided, shall be deducted for that purpose, to be available until expended.

Deduction for administrative expenses.

SEC. 6. Out of the amounts authorized under section 5 of this Act the Children's Bureau is authorized to employ such assistants, clerks, and other persons in the District of Columbia and elsewhere, to be taken from the eligible lists of the Civil Service Commission, and to purchase such supplies, material, equipment, office fixtures, and apparatus, and to incur such travel and other expense as it may deem necessary for carrying out the purposes of this Act.

Employees to be from Civil Service eligibles.

Office supplies, etc., allowed.

SEC. 7. Within sixty days after any appropriation authorized by this Act has been made, the Children's Bureau shall make the apportionment herein provided for and shall certify to the Secretary of the Treasury the amount estimated by the bureau to be necessary for administering the provisions of this Act, and shall certify to the Secretary of the Treasury and to the treasurers of the various States the amount which has been apportioned to each State for the fiscal year for which such appropriation has been made.

Annual certificate to Treasury of administrative expenses, State apportionments, etc.

SEC. 8. Any State desiring to receive the benefits of this Act shall, by its agency described in section 4, submit to the Children's Bureau detailed plans for carrying out the provisions of this Act within such State, which plans shall be subject to the approval of the board: *Provided*, That the plans of the States under this Act shall provide that no official, or agent, or representative in carrying out the provisions of this Act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. If these plans shall be in conformity with the provisions of this Act and reasonably appropriate and adequate to carry out its purposes they shall be approved by the board and due notice of such approval shall be sent to the State agency by the chief of the Children's Bureau.

Submission of detailed plans by State agencies.

*Proviso.*  
Entering homes, etc., forbidden if objected to.

Notice of approval of plans.

SEC. 9. No official, agent, or representative of the Children's Bureau shall by virtue of this Act have any right to enter any home over the objection of the owner thereof, or to take charge of any child over the objection of the parents, or either of them, or of the person standing in loco parentis or having custody of such child. Nothing in this Act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.

Entering homes by Children's Bureau officials forbidden if objected to.

Parental powers not limited.

SEC. 10. Within sixty days after any appropriation authorized by this Act has been made, and as often thereafter while such appropriation remains unexpended as changed conditions may warrant, the

Certificate to Secretary of the Treasury of amounts appropriated by States and the apportionment thereto.

Detailed statement  
in certificate.

Payment authorized  
thereupon.

Reports from State  
agencies.

If money not prop-  
erly expended, certifi-  
cate to be withheld.

Appeal to the Presi-  
dent.

Proviso.  
Notice to State be-  
fore withholding cer-  
tificate.

Use for buildings,  
etc., forbidden.

Pension or other  
gratuity forbidden.

Annual report, etc.

Intention of Act.

Children's Bureau shall ascertain the amounts that have been appropriated by the legislatures of the several States accepting the provisions of this Act and shall certify to the Secretary of the Treasury the amount to which each State is entitled under the provisions of this Act. Such certificate shall state (1) that the State has, through its legislative authority, accepted the provisions of this Act and designated or authorized the creation of an agency to cooperate with the Children's Bureau, or that the State has otherwise accepted this Act, as provided in section 4 hereof; (2) the fact that the proper agency of the State has submitted to the Children's Bureau detailed plans for carrying out the provisions of this Act, and that such plans have been approved by the board; (3) the amount, if any, that has been appropriated by the legislature of the State for the maintenance of the services and facilities of this Act, as provided in section 2 hereof; and (4) the amount to which the State is entitled under the provisions of this Act. Such certificate, when in conformity with the provisions hereof, shall, until revoked as provided in section 12 hereof, be sufficient authority to the Secretary of the Treasury to make payment to the State in accordance therewith.

SEC. 11. Each State agency cooperating with the Children's Bureau under this Act shall make such reports concerning its operations and expenditures as shall be prescribed or requested by the bureau. The Children's Bureau may, with the approval of the board, and shall, upon request of a majority of the board, withhold any further certificate provided for in section 10 hereof whenever it shall be determined as to any State that the agency thereof has not properly expended the money paid to it or the moneys herein required to be appropriated by such State for the purposes and in accordance with the provisions of this Act. Such certificate may be withheld until such time or upon such conditions as the Children's Bureau, with the approval of the board, may determine; when so withheld the State agency may appeal to the President of the United States who may either affirm or reverse the action of the Bureau with such directions as he shall consider proper: *Provided*, That before any such certificate shall be withheld from any State, the chairman of the board shall give notice in writing to the authority designated to represent the State, stating specifically wherein said State has failed to comply with the provisions of this Act.

SEC. 12. No portion of any moneys apportioned under this Act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of any buildings or lands, nor shall any such moneys or moneys required to be appropriated by any State for the purposes and in accordance with the provisions of this Act be used for the payment of any maternity or infancy pension, stipend, or gratuity.

SEC. 13. The Children's Bureau shall perform the duties assigned to it by this Act under the supervision of the Secretary of Labor, and he shall include in his annual report to Congress a full account of the administration of this Act and expenditures of the moneys herein authorized.

SEC. 14. This Act shall be construed as intending to secure to the various States control of the administration of this Act within their respective States, subject only to the provisions and purposes of this Act.

Approved, November 23, 1921.

CHAP. 136.—An Act To reduce and equalize taxation, to provide revenue, and for other purposes.

November 23, 1921.  
[H. R. 8245.]  
[Public, No. 98.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Revenue Act of 1921.

## TITLE I.—GENERAL DEFINITIONS.

General definitions.

SECTION 1. That this Act may be cited as the "Revenue Act of 1921."

Title of Act.

SEC. 2. That when used in this Act—

"Person."

(1) The term "person" includes partnerships and corporations, as well as individuals;

"Corporation."

(2) The term "corporation" includes associations, joint-stock companies, and insurance companies;

"Domestic."

(3) The term "domestic" when applied to a corporation or partnership means created or organized in the United States;

"Foreign."

(4) The term "foreign" when applied to a corporation or partnership means created or organized outside the United States;

"United States."

(5) The term "United States" when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia;

"Secretary."

(6) The term "Secretary" means the Secretary of the Treasury;

"Commissioner."

(7) The term "Commissioner" means the Commissioner of Internal Revenue;

(8) The term "collector" means collector of internal revenue;

"Collector."

(9) The term "taxpayer" includes any person, trust or estate subject to a tax imposed by this Act;

"Taxpayer."

(10) The term "military or naval forces of the United States" includes the Marine Corps, the Coast Guard, the Army Nurse Corps, Female, and the Navy Nurse Corps, Female, but this shall not be deemed to exclude other units otherwise included within such terms; and

"Military or naval forces of the United States."

(11) The term "Government contract" means (a) a contract made with the United States, or with any department, bureau, officer, commission, board, or agency, under the United States and acting in its behalf, or with any agency controlled by any of the above if the contract is for the benefit of the United States, or (b) a subcontract made with a contractor performing such a contract if the products or services to be furnished under the subcontract are for the benefit of the United States. The term "Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive" when applied to a contract of the kind referred to in clause (a) of this subdivision, includes all such contracts which, although entered into during such period, were originally not enforceable, but which have been or may become enforceable by reason of subsequent validation in pursuance of law.

"Government contract."  
With United States or agency thereof.

Subcontracts.

Made between April 6, 1917, and November 11, 1917.  
Subsequently validated.

## TITLE II.—INCOME TAX.

INCOME TAX.

### PART I.—GENERAL PROVISIONS.

General provisions.  
Vol. 40, pp. 1059-1062.

#### DEFINITIONS.

SEC. 200. That when used in this title—

Meaning of terms,

(1) The term "taxable year" means the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under section 212 or section 232. The term "fiscal year" means an accounting period of twelve months ending on the last day of any month other than December. The first taxable year, to be called the taxable year 1921, shall be the

"Taxable year."

"Fiscal year."

First taxable year.

|  |   |
|--|---|
| INCOME TAX.  | calendar year 1921 or any fiscal year ending during the calendar year 1921;   |
| "Fiduciary."   | (2) The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any fiduciary capacity for any person, trust or estate;   |
| "Withholding agent."   | (3) The term "withholding agent" means any person required to deduct and withhold any tax under the provisions of section 221 or section 237;   |
| "Paid."<br>Application of, accrued or incurred, to deductions and credits. | (4) The term "paid," for the purposes of the deductions and credits under this title, means "paid or accrued" or "paid or incurred," and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under section 212; and  |
| "Personal service corporations."   | (5) The term "personal service corporation" means a corporation whose income is to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income-producing factor; but does not include any foreign corporation, nor any corporation 50 per centum or more of whose gross income consists either (1) of gains, profits, or income derived from trading as a principal, or (2) of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive. |
| Exclusions.  |   |

## Dividends.

## DIVIDENDS.

Distribution of corporation earnings accumulated since February 28, 1913, deemed.

By personal service corporations since December 31, 1917, excepted.

For taxation, deemed as from February 28, 1913.

Prior earnings exempt.

Allowance for loss on exempted stock distributions.

Application of other distribution of earnings.

Stock dividends not taxable.

Proceeds of redeemed stock treated as taxable dividends.

SEC. 201. (a) That the term "dividend" when used in this title (except in paragraph (10) of subdivision (a) of section 234 and paragraph (4) of subdivision (a) of section 245) means any distribution made by a corporation to its shareholders or members, whether in cash or in other property, out of its earnings or profits accumulated since February 28, 1913, except a distribution made by a personal service corporation out of earnings or profits accumulated since December 31, 1917, and prior to January 1, 1922.

(b) For the purposes of this Act every distribution is made out of earnings or profits, and from the most recently accumulated earnings or profits, to the extent of such earnings or profits accumulated since February 28, 1913; but any earnings or profits accumulated or increase in value of property accrued prior to March 1, 1913, may be distributed exempt from the tax, after the earnings and profits accumulated since February 28, 1913, have been distributed. If any such tax-free distribution has been made the distributee shall not be allowed as a deduction from gross income any loss sustained from the sale or other disposition of his stock or shares unless, and then only to the extent that, the basis provided in section 202 exceeds the sum of (1) the amount realized from the sale or other disposition of such stock or shares, and (2) the aggregate amount of such distributions received by him thereon.

(c) Any distribution (whether in cash or other property) made by a corporation to its shareholders or members otherwise than out of (1) earnings or profits accumulated since February 28, 1913, or (2) earnings or profits accumulated or increase in value of property accrued prior to March 1, 1913, shall be applied against and reduce the basis provided in section 202 for the purpose of ascertaining the gain derived or the loss sustained from the sale or other disposition of the stock or shares by the distributee.

(d) A stock dividend shall not be subject to tax but if after the distribution of any such dividend the corporation proceeds to cancel or redeem its stock at such time and in such manner as to make the

distribution and cancellation or redemption essentially equivalent to the distribution of a taxable dividend, the amount received in redemption or cancellation of the stock shall be treated as a taxable dividend to the extent of the earnings or profits accumulated by such corporation after February 28, 1913.

(e) For the purposes of this Act, a taxable distribution made by a corporation to its shareholders or members shall be included in the gross income of the distributees as of the date when the cash or other property is unqualifiedly made subject to their demands.

(f) Any distribution made during the first sixty days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years; but any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings or profits accumulated between the close of the preceding taxable year and the date of distribution, to the extent of such earnings or profits, and if the books of the corporation do not show the amount of such earnings or profits, the earnings or profits for the accounting period within which the distribution was made shall be deemed to have been accumulated ratably during such period. This subdivision shall not be in effect after December 31, 1921.

INCOME TAX.

Included in gross income of distributees.

Division of earnings to taxable years.

Not effective after December 31, 1921.

## BASIS FOR DETERMINING GAIN OR LOSS.

SEC. 202. (a) That the basis for ascertaining the gain derived or loss sustained from a sale or other disposition of property, real, personal, or mixed, acquired after February 28, 1913, shall be the cost of such property; except that—

(1) In the case of such property, which should be included in the inventory, the basis shall be the last inventory value thereof;

(2) In the case of such property, acquired by gift after December 31, 1920, the basis shall be the same as that which it would have in the hands of the donor or the last preceding owner by whom it was not acquired by gift. If the facts necessary to determine such basis are unknown to the donee, the Commissioner shall, if possible, obtain such facts from such donor or last preceding owner, or any other person cognizant thereof. If the Commissioner finds it impossible to obtain such facts, the basis shall be the value of such property as found by the Commissioner as of the date or approximate date at which, according to the best information the Commissioner is able to obtain, such property was acquired by such donor or last preceding owner. In the case of such property acquired by gift on or before December 31, 1920, the basis for ascertaining gain or loss from a sale or other disposition thereof shall be the fair market price or value of such property at the time of such acquisition;

(3) In the case of such property, acquired by bequest, devise, or inheritance, the basis shall be the fair market price or value of such property at the time of such acquisition. The provisions of this paragraph shall apply to the acquisition of such property interests as are specified in subdivision (c) or (e) of section 402.

(b) The basis for ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal, or mixed, acquired before March 1, 1913, shall be the same as that provided by subdivision (a); but—

(1) If its fair market price or value as of March 1, 1913, is in excess of such basis, the gain to be included in the gross income shall be the excess of the amount realized therefor over such fair market price or value;

(2) If its fair market price or value as of March 1, 1913, is lower than such basis, the deductible loss is the excess of the fair market price or value as of March 1, 1913, over the amount realized therefor; and

Gain or loss.

On sales, etc., of property acquired after February 28, 1913, based on cost.

Exceptions.

Inventory value used.

Gifts after December 31, 1920, based on value in hands of donor.

Ascertainment.

Market value when acquired, if before December 31, 1920.

Bequests, etc., based on market values. Applicable to exchanges.

Post, pp. 278, 279.

Property acquired before March 1, 1913, on same basis.

If price in excess of cost.

If price lower than cost.



**INCOME TAX.**  
If market price  
March 1, 1913, received.

Exchanges of prop-  
erty.  
When no gain or loss  
recognized.

If for similar prop-  
erty.

When stock, etc., re-  
ceived on reorganiza-  
tion.

"Re organization"  
construed.

If in control of corpora-  
tion to which trans-  
ferred.

Property considered  
same as that for which  
exchanged.

Exceptions.  
*Infra.*

Proceeds of involun-  
tary conversions.  
*Post*, pp. 241, 257.

On exchange of se-  
curities.  
*Post*, pp. 240, 255.

If of no value and  
included with property  
of value.  
Taxed on excess of  
basis.

(3) If the amount realized therefor is more than such basis but not more than its fair market price or value as of March 1, 1913, or less than such basis but not less than such fair market price or value, no gain shall be included in and no loss deducted from the gross income.

(c) For the purposes of this title, on an exchange of property, real, personal or mixed, for any other such property, no gain or loss shall be recognized unless the property received in exchange has a readily realizable market value; but even if the property received in exchange has a readily realizable market value, no gain or loss shall be recognized—

(1) When any such property held for investment, or for productive use in trade or business (not including stock-in-trade or other property held primarily for sale), is exchanged for property of a like kind or use;

(2) When in the reorganization of one or more corporations a person receives in place of any stock or securities owned by him, stock or securities in a corporation a party to or resulting from such reorganization. The word "reorganization," as used in this paragraph, includes a merger or consolidation (including the acquisition by one corporation of at least a majority of the voting stock and at least a majority of the total number of shares of all other classes of stock of another corporation, or of substantially all the properties of another corporation), recapitalization, or mere change in identity, form, or place of organization of a corporation, (however effected); or

(3) When (A) a person transfers any property, real, personal or mixed, to a corporation, and immediately after the transfer is in control of such corporation, or (B) two or more persons transfer any such property to a corporation, and immediately after the transfer are in control of such corporation, and the amounts of stock, securities, or both, received by such persons are in substantially the same proportion as their interests in the property before such transfer. For the purposes of this paragraph, a person is, or two or more persons are, "in control" of a corporation when owning at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of the corporation.

(d) (1) Where property is exchanged for other property and no gain or loss is recognized under the provisions of subdivision (c), the property received shall, for the purposes of this section, be treated as taking the place of the property exchanged therefor, except as provided in subdivision (e);

(2) Where property is compulsorily or involuntarily converted into cash or its equivalent in the manner described in paragraph (12) of subdivision (a) of section 214 and paragraph (14) of subdivision (a) of section 234, and the taxpayer proceeds in good faith to expend or set aside the proceeds of such conversion in the form and in the manner therein provided, the property acquired shall, for the purpose of this section, be treated as taking the place of a like proportion of the property converted;

(3) Where no deduction is allowed for a loss or a part thereof under the provisions of paragraph (5) of subdivision (a) of section 214 and paragraph (4) of subdivision (a) of section 234, that part of the property acquired with relation to which such loss is disallowed shall for the purposes of this section be treated as taking the place of the property sold or disposed of.

(e) Where property is exchanged for other property which has no readily realizable market value, together with money or other property which has a readily realizable market value, then the money or the fair market value of the property having such readily realizable market value received in exchange shall be applied against and reduce the basis, provided in this section, of the property exchanged,

and if in excess of such basis, shall be taxable to the extent of the excess; but when property is exchanged for property specified in paragraphs (1), (2), and (3) of subdivision (c) as received in exchange, together with money or other property of a readily realizable market value other than that specified in such paragraphs, the money or the fair market value of such other property received in exchange shall be applied against and reduce the basis, provided in this section, of the property exchanged, and if in excess of such basis, shall be taxable to the extent of the excess.

**INCOME TAX.**  
If other than similar property received.

(f) Nothing in this section shall be construed to prevent (in the case of property sold under contract providing for payment in installments) the taxation of that portion of any installment payment representing gain or profit in the year in which such payment is received.

Tax on installment payments.

#### INVENTORIES.

Inventories.

**SEC. 203.** That whenever in the opinion of the Commissioner the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the Commissioner, with the approval of the Secretary, may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

Use of, in determining incomes.

#### NET LOSSES.

Net losses.

**SEC. 204.** (a) That as used in this section the term "net loss" means only net losses resulting from the operation of any trade or business regularly carried on by the taxpayer (including losses sustained from the sale or other disposition of real estate, machinery, and other capital assets, used in the conduct of such trade or business); and when so resulting means the excess of the deductions allowed by section 214 or 234, as the case may be, over the sum of the following: (1) the gross income of the taxpayer for the taxable year, (2) the amount by which the interest received free from taxation under this title exceeds so much of the interest paid or accrued within the taxable year on indebtedness as is not permitted to be deducted by paragraph (2) of subdivision (a) of section 214 or by paragraph (2) of subdivision (a) of section 234, (3) the amount by which the deductible losses not sustained in such trade or business exceed the taxable gains or profits not derived from such trade or business, (4) amounts received as dividends and allowed as a deduction under paragraph (6) of subdivision (a) of section 234, and (5) so much of the depletion deduction allowed with respect to any mine, oil or gas well as is based upon discovery value in lieu of cost.

In regular business.

Method of determining.  
Post, pp. 230, 254.

(b) If for any taxable year beginning after December 31, 1920, it appears upon the production of evidence satisfactory to the Commissioner that any taxpayer has sustained a net loss, the amount thereof shall be deducted from the net income of the taxpayer for the succeeding taxable year; and if such net loss is in excess of the net income for such succeeding taxable year, the amount of such excess shall be allowed as a deduction in computing the net income for the next succeeding taxable year; the deduction in all cases to be made under regulations prescribed by the Commissioner with the approval of the Secretary.

Allowance to be deducted from succeeding taxable years.

(c) The benefit of this section shall be allowed to the members of a partnership and the beneficiaries of an estate or trust, and to insurance companies subject to the tax imposed by section 243 or 246, under regulations prescribed by the Commissioner with the approval of the Secretary.

Partnership, estate or trust beneficiaries, and insurance companies included.

Post, pp. 261, 262.

(d) If it appears, upon the production of evidence satisfactory to the Commissioner, that a taxpayer having a fiscal year beginning in

Allowance for fiscal year ending in 1921.

## INCOME TAX.

1920 and ending in 1921 has sustained a net loss during such fiscal year, such taxpayer shall be entitled to the benefits of this section in respect to the same proportion of such net loss which the portion of such fiscal year falling within the calendar year 1921 is of the entire fiscal year.

Fiscal years 1920-1921 and 1921-1922.

## FISCAL YEARS 1920-1921 AND 1921-1922.

Proportion of tax payable for fiscal year ending in 1921.

SEC. 205. (a) That if a taxpayer makes return for a fiscal year beginning in 1920 and ending in 1921, his tax under this title for the taxable year 1921 shall be the sum of: (1) the same proportion of a tax for the entire period computed under Title II of the Revenue Act of 1918 at the rates for the calendar year 1920 which the portion of such period falling within the calendar year 1920 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates for the calendar year 1921, which the portion of such period falling within the calendar year 1921 is of the entire period.

Credit or refund of excess payments prior hereto.  
Vol. 40, pp. 1068-1068.

Any amount paid before or after the passage of this Act on account of the tax imposed for such fiscal year by Title II of the Revenue Act of 1918 shall be credited toward the payment of the tax imposed for such fiscal year by this Act, and if the amount so paid exceeds the amount of such tax imposed by this Act, the excess shall be credited or refunded in accordance with the provisions of section 252.

For fiscal year ending in 1922.

(b) If a taxpayer makes return for a fiscal year beginning in 1921 and ending in 1922, his tax under this title for the taxable year 1922 shall be the sum of: (1) the same proportion of a tax for the entire period computed under this title (as in force on December 31, 1921) at the rates for the calendar year 1921 which the portion of such period falling within the calendar year 1921 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title (as in force on January 1, 1922) at the rates for the calendar year 1922 which the portion of such period falling within the calendar year 1922 is of the entire period: *Provided*, That in the case of a personal service corporation the amount to be paid shall be only that specified in clause (2).

*Provided*.  
Personal service corporations.

Partnership fiscal years.  
Determination of proportional rates for.

(c) If a fiscal year of a partnership begins in 1920 and ends in 1921, or begins in 1921 and ends in 1922, then (1) the rates for the calendar year during which such fiscal year begins shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year, and (2) the rates for the calendar year during which such fiscal year ends shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such calendar year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year.

## Capital gain.

## CAPITAL GAIN.

## Meaning of terms.

"Capital gain."

"Capital loss."

"Capital deductions."

SEC. 206. (a) That for the purpose of this title:

(1) The term "capital gain" means taxable gain from the sale or exchange of capital assets consummated after December 31, 1921;

(2) The term "capital loss" means deductible loss resulting from the sale or exchange of capital assets consummated after December 31, 1921;

(3) The term "capital deductions" means such deductions as are allowed under this title for the purpose of computing net income and are properly allocable to or chargeable against items of capital gain as defined in this section;

(4) The term "capital net gain" means the excess of the total amount of capital gain over the sum of the capital deductions and capital losses;

**INCOME TAX.**  
"Capital net gain."

(5) The term "ordinary net income" means the net income, computed in accordance with the provisions of this title, after excluding all items of capital gain, capital loss, and capital deductions; and

"Ordinary net income."

(6) The term "capital assets" as used in this section means property acquired and held by the taxpayer for profit or investment for more than two years (whether or not connected with his trade or business), but does not include property held for the personal use or consumption of the taxpayer or his family, or stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year.

"Capital assets."

(b) In the case of any taxpayer (other than a corporation) who for any taxable year derives a capital net gain, there shall (at the election of the taxpayer) be levied, collected and paid, in lieu of the taxes imposed by sections 210 and 211 of this title, a tax determined as follows:

Tax imposed in lieu of normal or surtax.  
Corporations excepted.

A partial tax shall first be computed upon the basis of the ordinary net income at the rates and in the manner provided in sections 210 and 211, and the total tax shall be this amount plus 12½ per centum of the capital net gain; but if the taxpayer elects to be taxed under this section the total tax shall in no such case be less than 12½ per centum of the total net income. The total tax thus determined shall be computed, collected and paid in the same manner, at the same time and subject to the same provisions of law, including penalties, as other taxes under this title.

Determination of.

Alternate rate.

(c) In the case of a partnership or of an estate or trust, the proper part of each share of the net income which consists, respectively, of ordinary net income and capital net gain, shall be determined under rules and regulations to be prescribed by the Commissioner with the approval of the Secretary, and shall be separately shown in the return of the partnership or estate or trust, and shall be taxed to the member or beneficiary or to the estate or trust as provided in sections 218 and 219, but at the rates and in the manner provided in subdivision (b) of this section.

Partnerships, estates, or trusts.

Returns and rates.

## PART II.—INDIVIDUALS.

Individuals.

### NORMAL TAX.

Normal tax.

SEC. 210. That, in lieu of the tax imposed by section 210 of the Revenue Act of 1918, there shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax of 8 per centum of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first \$4,000 of such excess amount shall be 4 per centum.

In lieu of former rates.  
Vol. 40, p. 1062, amended.  
Post, p. 242.

*Provided.*  
On first \$4,000 of citizens or residents.

### SURTAX.

Surtax.

SEC. 211. (a) That, in lieu of the tax imposed by section 211 of the Revenue Act of 1918, but in addition to the normal tax imposed by section 210 of this Act, there shall be levied, collected, and paid for each taxable year upon the net income of every individual—

Imposed on incomes over \$5,000 in addition to normal tax.  
Vol. 40, p. 1062, amended.  
For calendar year 1921.  
Rates.

(1) For the calendar year 1921, a surtax equal to the sum of the following:

1 per centum of the amount by which the net income exceeds \$5,000 and does not exceed \$6,000;

INCOME TAX.  
Surtax—Continued.

2 per centum of the amount by which the net income exceeds \$6,000 and does not exceed \$8,000;  
 3 per centum of the amount by which the net income exceeds \$8,000 and does not exceed \$10,000;  
 4 per centum of the amount by which the net income exceeds \$10,000 and does not exceed \$12,000;  
 5 per centum of the amount by which the net income exceeds \$12,000 and does not exceed \$14,000;  
 6 per centum of the amount by which the net income exceeds \$14,000 and does not exceed \$16,000;  
 7 per centum of the amount by which the net income exceeds \$16,000 and does not exceed \$18,000;  
 8 per centum of the amount by which the net income exceeds \$18,000 and does not exceed \$20,000;  
 9 per centum of the amount by which the net income exceeds \$20,000 and does not exceed \$22,000;  
 10 per centum of the amount by which the net income exceeds \$22,000 and does not exceed \$24,000;  
 11 per centum of the amount by which the net income exceeds \$24,000 and does not exceed \$26,000;  
 12 per centum of the amount by which the net income exceeds \$26,000 and does not exceed \$28,000;  
 13 per centum of the amount by which the net income exceeds \$28,000 and does not exceed \$30,000;  
 14 per centum of the amount by which the net income exceeds \$30,000 and does not exceed \$32,000;  
 15 per centum of the amount by which the net income exceeds \$32,000 and does not exceed \$34,000;  
 16 per centum of the amount by which the net income exceeds \$34,000 and does not exceed \$36,000;  
 17 per centum of the amount by which the net income exceeds \$36,000 and does not exceed \$38,000;  
 18 per centum of the amount by which the net income exceeds \$38,000 and does not exceed \$40,000;  
 19 per centum of the amount by which the net income exceeds \$40,000 and does not exceed \$42,000;  
 20 per centum of the amount by which the net income exceeds \$42,000 and does not exceed \$44,000;  
 21 per centum of the amount by which the net income exceeds \$44,000 and does not exceed \$46,000;  
 22 per centum of the amount by which the net income exceeds \$46,000 and does not exceed \$48,000;  
 23 per centum of the amount by which the net income exceeds \$48,000 and does not exceed \$50,000;  
 24 per centum of the amount by which the net income exceeds \$50,000 and does not exceed \$52,000;  
 25 per centum of the amount by which the net income exceeds \$52,000 and does not exceed \$54,000;  
 26 per centum of the amount by which the net income exceeds \$54,000 and does not exceed \$56,000;  
 27 per centum of the amount by which the net income exceeds \$56,000 and does not exceed \$58,000;  
 28 per centum of the amount by which the net income exceeds \$58,000 and does not exceed \$60,000;  
 29 per centum of the amount by which the net income exceeds \$60,000 and does not exceed \$62,000;  
 30 per centum of the amount by which the net income exceeds \$62,000 and does not exceed \$64,000;  
 31 per centum of the amount by which the net income exceeds \$64,000 and does not exceed \$66,000;

INCOME TAX.  
Surtax—Continued.

32 per centum of the amount by which the net income exceeds \$66,000 and does not exceed \$68,000;

33 per centum of the amount by which the net income exceeds \$68,000 and does not exceed \$70,000;

34 per centum of the amount by which the net income exceeds \$70,000 and does not exceed \$72,000;

35 per centum of the amount by which the net income exceeds \$72,000 and does not exceed \$74,000;

36 per centum of the amount by which the net income exceeds \$74,000 and does not exceed \$76,000;

37 per centum of the amount by which the net income exceeds \$76,000 and does not exceed \$78,000;

38 per centum of the amount by which the net income exceeds \$78,000 and does not exceed \$80,000;

39 per centum of the amount by which the net income exceeds \$80,000 and does not exceed \$82,000;

40 per centum of the amount by which the net income exceeds \$82,000 and does not exceed \$84,000;

41 per centum of the amount by which the net income exceeds \$84,000 and does not exceed \$86,000;

42 per centum of the amount by which the net income exceeds \$86,000 and does not exceed \$88,000;

43 per centum of the amount by which the net income exceeds \$88,000 and does not exceed \$90,000;

44 per centum of the amount by which the net income exceeds \$90,000 and does not exceed \$92,000;

45 per centum of the amount by which the net income exceeds \$92,000 and does not exceed \$94,000;

46 per centum of the amount by which the net income exceeds \$94,000 and does not exceed \$96,000;

47 per centum of the amount by which the net income exceeds \$96,000 and does not exceed \$98,000;

48 per centum of the amount by which the net income exceeds \$98,000 and does not exceed \$100,000;

52 per centum of the amount by which the net income exceeds \$100,000 and does not exceed \$150,000;

56 per centum of the amount by which the net income exceeds \$150,000 and does not exceed \$200,000;

60 per centum of the amount by which the net income exceeds \$200,000 and does not exceed \$300,000;

63 per centum of the amount by which the net income exceeds \$300,000 and does not exceed \$500,000;

64 per centum of the amount by which the net income exceeds \$500,000 and does not exceed \$1,000,000;

65 per centum of the amount by which the net income exceeds \$1,000,000;

(2) For the calendar year 1922 and each calendar year thereafter, a surtax equal to the sum of the following: For calendar year 1922, and thereafter. Rates.

1 per centum of the amount by which the net income exceeds \$6,000 and does not exceed \$10,000;

2 per centum of the amount by which the net income exceeds \$10,000 and does not exceed \$12,000;

3 per centum of the amount by which the net income exceeds \$12,000 and does not exceed \$14,000;

4 per centum of the amount by which the net income exceeds \$14,000 and does not exceed \$16,000;

5 per centum of the amount by which the net income exceeds \$16,000 and does not exceed \$18,000;

6 per centum of the amount by which the net income exceeds \$18,000 and does not exceed \$20,000;

INCOME TAX.  
Surtax—Continued.

8 per centum of the amount by which the net income exceeds \$20,000 and does not exceed \$22,000;  
 9 per centum of the amount by which the net income exceeds \$22,000 and does not exceed \$24,000;  
 10 per centum of the amount by which the net income exceeds \$24,000 and does not exceed \$26,000;  
 11 per centum of the amount by which the net income exceeds \$26,000 and does not exceed \$28,000;  
 12 per centum of the amount by which the net income exceeds \$28,000 and does not exceed \$30,000;  
 13 per centum of the amount by which the net income exceeds \$30,000 and does not exceed \$32,000;  
 15 per centum of the amount by which the net income exceeds \$32,000 and does not exceed \$36,000;  
 16 per centum of the amount by which the net income exceeds \$36,000 and does not exceed \$38,000;  
 17 per centum of the amount by which the net income exceeds \$38,000 and does not exceed \$40,000;  
 18 per centum of the amount by which the net income exceeds \$40,000 and does not exceed \$42,000;  
 19 per centum of the amount by which the net income exceeds \$42,000 and does not exceed \$44,000;  
 20 per centum of the amount by which the net income exceeds \$44,000 and does not exceed \$46,000;  
 21 per centum of the amount by which the net income exceeds \$46,000 and does not exceed \$48,000;  
 22 per centum of the amount by which the net income exceeds \$48,000 and does not exceed \$50,000;  
 23 per centum of the amount by which the net income exceeds \$50,000 and does not exceed \$52,000;  
 24 per centum of the amount by which the net income exceeds \$52,000 and does not exceed \$54,000;  
 25 per centum of the amount by which the net income exceeds \$54,000 and does not exceed \$56,000;  
 26 per centum of the amount by which the net income exceeds \$56,000 and does not exceed \$58,000;  
 27 per centum of the amount by which the net income exceeds \$58,000 and does not exceed \$60,000;  
 28 per centum of the amount by which the net income exceeds \$60,000 and does not exceed \$62,000;  
 29 per centum of the amount by which the net income exceeds \$62,000 and does not exceed \$64,000;  
 30 per centum of the amount by which the net income exceeds \$64,000 and does not exceed \$66,000;  
 31 per centum of the amount by which the net income exceeds \$66,000 and does not exceed \$68,000;  
 32 per centum of the amount by which the net income exceeds \$68,000 and does not exceed \$70,000;  
 33 per centum of the amount by which the net income exceeds \$70,000 and does not exceed \$72,000;  
 34 per centum of the amount by which the net income exceeds \$72,000 and does not exceed \$74,000;  
 35 per centum of the amount by which the net income exceeds \$74,000 and does not exceed \$76,000;  
 36 per centum of the amount by which the net income exceeds \$76,000 and does not exceed \$78,000;  
 37 per centum of the amount by which the net income exceeds \$78,000 and does not exceed \$80,000;  
 38 per centum of the amount by which the net income exceeds \$80,000 and does not exceed \$82,000;

INCOME TAX.  
Surtax—Continued.

39 per centum of the amount by which the net income exceeds \$82,000 and does not exceed \$84,000;

40 per centum of the amount by which the net income exceeds \$84,000 and does not exceed \$86,000;

41 per centum of the amount by which the net income exceeds \$86,000 and does not exceed \$88,000;

42 per centum of the amount by which the net income exceeds \$88,000 and does not exceed \$90,000;

43 per centum of the amount by which the net income exceeds \$90,000 and does not exceed \$92,000;

44 per centum of the amount by which the net income exceeds \$92,000 and does not exceed \$94,000;

45 per centum of the amount by which the net income exceeds \$94,000 and does not exceed \$96,000;

46 per centum of the amount by which the net income exceeds \$96,000 and does not exceed \$98,000;

47 per centum of the amount by which the net income exceeds \$98,000 and does not exceed \$100,000;

48 per centum of the amount by which the net income exceeds \$100,000 and does not exceed \$150,000;

49 per centum of the amount by which the net income exceeds \$150,000 and does not exceed \$200,000;

50 per centum of the amount by which the net income exceeds \$200,000.

(b) In the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by this section attributable to such sale shall not exceed, for the calendar year 1921, 20 per centum, and for each calendar year thereafter 16 per centum, of the selling price of such property or interest.

Mines, oil or gas wells.  
Maximum on sales of, developed by taxpayer.  
Vol. 40, p. 1064, amended.

## NET INCOME OF INDIVIDUALS DEFINED.

Individual net income.

SEC. 212. (a) That in the case of an individual the term "net income" means the gross income as defined in section 213, less the deductions allowed by section 214.

Deductions from gross income constituting.

(b) The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made upon such basis and in such manner as in the opinion of the Commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 200 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year.

Basis of computing.

(c) If a taxpayer changes his accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the Commissioner, be computed on the basis of such new accounting period, subject to the provisions of section 226.

If taxpayer change accounting period.

## GROSS INCOME DEFINED.

Gross income.

SEC. 213. That for the purposes of this title (except as otherwise provided in section 233) the term "gross income"—

Sources included.  
Pow, p. 264.



**INCOME TAX.**  
From personal salaries, etc.  
Federal officers, etc., included.  
Vol. 40, p. 1065, amended.

Professions, trades, businesses, etc.

Interest, rents, dividends, etc.

Included in taxable year received.

Exempted items.

From life insurance policies.

Returns under insurance contracts.

Gifts, bequests, etc., except income from.

Interest on State, etc., debts.

Farm loan bonds.  
Vol. 39, p. 375.  
Government, or War Finance Corporation bonds.  
Federal, etc., bond exemption only as by issuing Acts.

Foreign governments, on income from American securities, etc.

Personal injuries, etc., payments.

States, etc., on receipts from public utilities.

Under prior contracts for operation thereof.

(a) Includes gains, profits, and income derived from salaries, wages, or compensation for personal service (including in the case of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees, whether elected or appointed, of the United States, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, the compensation received as such), of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever. The amount of all such items (except as provided in subdivision (e) of section 201) shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under methods of accounting permitted under subdivision (b) of section 212, any such amounts are to be properly accounted for as of a different period; but

(b) Does not include the following items, which shall be exempt from taxation under this title:

(1) The proceeds of life insurance policies paid upon the death of the insured;

(2) The amount received by the insured as a return of premium or premiums paid by him under life insurance, endowment, or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract;

(3) The value of property acquired by gift, bequest, devise, or descent (but the income from such property shall be included in gross income);

(4) Interest upon (a) the obligations of a State, Territory, or any political subdivision thereof, or the District of Columbia; or (b) securities issued under the provisions of the Federal Farm Loan Act of July 17, 1916; or (c) the obligations of the United States or its possessions; or (d) bonds issued by the War Finance Corporation. In the case of obligations of the United States issued after September 1, 1917 (other than postal savings certificates of deposit), and in the case of bonds issued by the War Finance Corporation, the interest shall be exempt only if and to the extent provided in the respective Acts authorizing the issue thereof as amended and supplemented, and shall be excluded from gross income only if and to the extent it is wholly exempt to the taxpayer from income, war-profits and excess-profits taxes;

(5) The income of foreign governments received from investments in the United States in stocks, bonds, or other domestic securities, owned by such foreign governments, or from interest on deposits in banks in the United States of moneys belonging to such foreign governments, or from any other source within the United States;

(6) Amounts received, through accident or health insurance or under workmen's compensation acts, as compensation for personal injuries or sickness, plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness;

(7) Income derived from any public utility or the exercise of any essential governmental function and accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, or income accruing to the Government of any possession of the United States, or any political subdivision thereof.

Whenever any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, prior to September 8, 1916, entered in good faith into a contract with any person, the object and purpose of which is to acquire, construct, operate, or maintain a

public utility, no tax shall be levied under the provisions of this title upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, District of Columbia, or political subdivision; but this provision is not intended and shall not be construed to confer upon such person any financial gain or exemption or to relieve such person from the payment of a tax as provided for in this title upon the part or portion of such income to which such person is entitled under such contract;

(8) The income of a nonresident alien or foreign corporation which consists exclusively of earnings derived from the operation of a ship or ships documented under the laws of a foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States;

(9) Amounts received as compensation, family allotments and allowances under the provisions of the War Risk Insurance and the Vocational Rehabilitation Acts, or as pensions from the United States for service of the beneficiary or another in the military or naval forces of the United States in time of war;

(10) So much of the amount received by an individual after December 31, 1921, and before January 1, 1927, as dividends or interest from domestic building and loan associations, operated exclusively for the purpose of making loans to members, as does not exceed \$300;

(11) The rental value of a dwelling house and appurtenances thereof furnished to a minister of the gospel as part of his compensation;

(12) The receipts of shipowners' mutual protection and indemnity associations, not organized for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or member, but such corporations shall be subject as other persons to the tax upon their net income from interest, dividends, and rents.

(c) In the case of a nonresident alien individual, gross income means only the gross income from sources within the United States, determined under the provisions of section 217.

## INCOME TAX.

No personal exemption.

Nonresident aliens, etc., from earnings of foreign ships. Condition.

War risk and rehabilitation allowances, etc., and pensions.

From building, etc., associations, not exceeding \$300. Termination.

Rent of minister's dwelling.

Receipts of shipowners' mutual associations. Restriction, etc.

Nonresident aliens. Gross income means from United States sources.

## DEDUCTIONS ALLOWED INDIVIDUALS.

Deductions allowed.

SEC. 214. (a) That in computing net income there shall be allowed as deductions:

Items specified.

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity;

Business expenses.

Traveling, etc., included.

(2) All interest paid or accrued within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly exempt from taxation under this title;

Interest on debts. Exception.

(3) Taxes paid or accrued within the taxable year except (a) income, war-profits, and excess-profits taxes imposed by the authority of the United States, (b) so much of the income, war-profits and excess-profits taxes, imposed by the authority of any foreign country or possession of the United States, as is allowed as a credit under section 222, (c) taxes assessed against local benefits of a kind tending to increase the value of the property assessed, and (d) taxes imposed

Taxes paid. Exception, etc.

|  |  |
|--|--|
| INCOME TAX.  | upon the taxpayer upon his interest as shareholder or member of a corporation, which are paid by the corporation without reimbursement from the taxpayer. For the purpose of this paragraph estate, inheritance, legacy, and succession taxes accrue on the due date thereof except as otherwise provided by the law of the jurisdiction imposing such taxes;  |
| Estate, etc., taxes.   |  |
| Business losses.   | (4) Losses sustained during the taxable year and not compensated for by insurance or otherwise, if incurred in trade or business;  |
| Losses not connected with the business.                            | (5) Losses sustained during the taxable year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit, though not connected with the trade or business; but in the case of a nonresident alien individual only if and to the extent that the profit, if such transaction had resulted in a profit, would be taxable under this title. No deduction shall be allowed under this paragraph for any loss claimed to have been sustained in any sale or other disposition of shares of stock or securities made after the passage of this Act where it appears that within thirty days before or after the date of such sale or other disposition the taxpayer has acquired (otherwise than by bequest or inheritance) substantially identical property, and the property so acquired is held by the taxpayer for any period after such sale or other disposition. If such acquisition is to the extent of part only of substantially identical property, then only a proportionate part of the loss shall be disallowed; |
| Restriction as to sales of stock.                                  |  |
| Allowance for part of loss.  |  |
| Casualty losses, not connected with the business.                  | (6) Losses sustained during the taxable year of property not connected with the trade or business (but in the case of a nonresident alien individual only property within the United States) if arising from fires, storms, shipwreck, or other casualty, or from theft, and if not compensated for by insurance or otherwise. Losses allowed under paragraphs (4), (5), and (6) of this subdivision shall be deducted as of the taxable year in which sustained unless, in order to clearly reflect the income, the loss should, in the opinion of the Commissioner, be accounted for as of a different period. In case of losses arising from destruction of or damage to property, where the property so destroyed or damaged was acquired before March 1, 1913, the deduction shall be computed upon the basis of its fair market price or value as of March 1, 1913;  |
| Assigned to year in which sustained.                               |  |
| If property acquired before March 1, 1913.                         |  |
| Worthless debts.   | (7) Debts ascertained to be worthless and charged off within the taxable year (or, in the discretion of the Commissioner, a reasonable addition to a reserve for bad debts); and when satisfied that a debt is recoverable only in part, the Commissioner may allow such debt to be charged off in part;   |
| Recovered in part.   |  |
| Exhaustion, etc., of business property.                            | (8) A reasonable allowance for the exhaustion, wear and tear of property used in the trade or business, including a reasonable allowance for obsolescence. In the case of such property acquired before March 1, 1913, this deduction shall be computed upon the basis of its fair market price or value as of March 1, 1913;  |
| Amortisation of cost of plants, vessels, etc., for World War uses. | (9) In the case of buildings, machinery, equipment, or other facilities, constructed, erected, installed, or acquired, on or after April 6, 1917, for the production of articles contributing to the prosecution of the war against the German Government, and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of such war, there shall be allowed, for any taxable year ending before March 3, 1924 (if claim therefor was made at the time of filing return for the taxable year 1918, 1919, 1920, or 1921) a reasonable deduction for the amortization of such part of the cost of such facilities or vessels as has been borne by the taxpayer, but not again including any amount otherwise allowed under this title or previous Acts of Congress as a   |
| Limitation.  |  |

deduction in computing net income. At any time before March 3, 1924, the Commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect, the income, war-profits, and excess-profits taxes for the year or years affected shall be redetermined; and the amount of tax due upon such redetermination, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252;

(10) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, based upon cost including cost of development not otherwise deducted: *Provided*, That in the case of such properties acquired prior to March 1, 1913, the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date: *Provided further*, That in the case of mines, oil and gas wells, discovered by the taxpayer, on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery, or within thirty days thereafter: *And provided further*, That such depletion allowance based on discovery value shall not exceed the net income, computed without allowance for depletion, from the property upon which the discovery is made, except where such net income so computed is less than the depletion allowance based on cost or fair market value as of March 1, 1913; such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the Commissioner, with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee;

(11) Contributions or gifts made within the taxable year to or for the use of: (A) The United States, any State, Territory, or any political subdivision thereof, or the District of Columbia, for exclusively public purposes; (B) any corporation, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including posts of the American Legion or the women's auxiliary units thereof, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; or (C) the special fund for vocational rehabilitation authorized by section 7 of the Vocational Rehabilitation Act; to an amount which in all the above cases combined does not exceed 15 per centum of the taxpayer's net income as computed without the benefit of this paragraph. In case of a nonresident alien individual this deduction shall be allowed only as to contributions or gifts made to domestic corporations, or to community chests, funds, or foundations, created in the United States, or to such vocational rehabilitation fund. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary;

(12) If property is compulsorily or involuntarily converted into cash or its equivalent as a result of (A) its destruction in whole or in part, (B) theft or seizure, or (C) an exercise of the power of requisition or condemnation, or the threat or imminence thereof; and if the taxpayer proceeds forthwith in good faith, under regulations prescribed by the Commissioner with the approval of the Secretary, to expend the proceeds of such conversion in the acquisition of other

INCOME TAX.  
Redetermination of  
tax, etc., allowed be-  
fore March 3, 1924.

Payment or refund.

Post, p. 268.

Mines, oil wells, tim-  
ber, etc.  
Allowance for deple-  
tion, depreciation, etc.

Provisions.  
Basis if acquired  
prior to March 1, 1913.

Discovered thereaf-  
ter.

Allowance based on  
discovery value.

Regulations to be  
prescribed.

Leases.

Gifts, etc.  
For public uses.

Community chests,  
religious, scientific,  
etc., organizations, etc.

Condition.

Vocational rehabili-  
tation fund.  
Vol. 40, p. 619.

Limit.

By nonresident alien  
individuals.

Proceeds from invol-  
untary conversion of  
property.

Conditions on use of.

## INCOME TAX.

Applicable to prior laws.

Allowance to non-resident aliens.  
From business in United States.  
Determination of.

Post, p. 243.

Citizens, of sources in United States possessions.  
Post, p. 271.

Items not deductible.

Objects specified.

Personal, etc., expenses.  
Property improvements.

Restoring exhausted property.

Life insurance for employees.

Income from life, etc., interests acquired by gift, etc.

Credits allowed.

Items specified.

Dividends from corporations.  
Vol. 40, p. 1069, amended.

property of a character similar or related in service or use to the property so converted, or in the acquisition of 80 per centum or more of the stock or shares of a corporation owning such other property, or in the establishment of a replacement fund, then there shall be allowed as a deduction such portion of the gain derived as the portion of the proceeds so expended bears to the entire proceeds. The provisions of this paragraph prescribing the conditions under which a deduction may be taken in respect of the proceeds or gains derived from the compulsory or involuntary conversion of property into cash or its equivalent, shall apply so far as may be practicable to the exemption or exclusion of such proceeds or gains from gross income under prior income, war-profits and excess-profits tax acts.

(b) In the case of a nonresident alien individual, the deductions allowed in subdivision (a), except those allowed in paragraphs (5), (6), and (11), shall be allowed only if and to the extent that they are connected with income from sources within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined as provided in section 217 under rules and regulations prescribed by the Commissioner with the approval of the Secretary. In the case of a citizen entitled to the benefits of section 262 the deductions shall be the same and shall be determined in the same manner as in the case of a nonresident alien individual.

## ITEMS NOT DEDUCTIBLE.

SEC. 215. (a) That in computing net income no deduction shall in any case be allowed in respect of—

(1) Personal, living, or family expenses;

(2) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made;

OR

(4) Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

(b) Amounts paid under the laws of any State, Territory, District of Columbia, possession of the United States, or foreign country as income to the holder of a life or terminable interest acquired by gift, bequest, or inheritance shall not be reduced or diminished by any deduction for shrinkage (by whatever name called) in the value of such interest due to the lapse of time, nor by any deduction allowed by this Act for the purpose of computing the net income of an estate or trust but not allowed under the laws of such State, Territory, District of Columbia, possession of the United States, or foreign country for the purpose of computing the income to which such holder is entitled.

## CREDITS ALLOWED INDIVIDUALS.

SEC. 216. That for the purpose of the normal tax only there shall be allowed the following credits:

(a) The amount received as dividends (1) from a domestic corporation other than a corporation entitled to the benefits of section 262, or (2) from a foreign corporation when it is shown to the satisfaction of the Commissioner that more than 50 per centum of the gross income of such foreign corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been

in existence) was derived from sources within the United States as determined under the provisions of section 217;

(b) The amount received as interest upon obligations of the United States and bonds issued by the War Finance Corporation, which is included in gross income under section 213;

(c) In the case of a single person, a personal exemption of \$1,000; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of \$2,500, unless the net income is in excess of \$5,000, in which case the personal exemption shall be \$2,000. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be \$2,500, unless the aggregate net income of such husband and wife is in excess of \$5,000, in which case the amount of such personal exemption shall be \$2,000. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them. In no case shall the reduction of the personal exemption from \$2,500 to \$2,000 operate to increase the tax, which would be payable if the exemption were \$2,500, by more than the amount of the net income in excess of \$5,000;

(d) \$400 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective.

(e) In the case of a nonresident alien individual or of a citizen entitled to the benefits of section 262, the personal exemption shall be only \$1,000, and he shall not be entitled to the credit provided in subdivision (d).

(f) The credits allowed by subdivisions (c), (d), and (e) of this section shall be determined by the status of the taxpayer on the last day of the period for which the return of income is made; but in the case of an individual who dies during the taxable year, such credits shall be determined by his status at the time of his death, and in such case full credits shall be allowed to the surviving spouse, if any, according to his or her status at the close of the period for which such survivor makes return of income.

## INCOME TAX.

Interest on Federal securities, etc.

Personal exemptions.

Limit for husband and wife, if in excess of \$5,000.

Restriction on reduction.

Allowance for dependents.

Nonresident aliens, etc.

Status of taxpayer defined.

In case of death.

## NET INCOME OF NONRESIDENT ALIEN INDIVIDUALS.

SEC. 217. (a) That in the case of a nonresident alien individual or of a citizen entitled to the benefits of section 262, the following items of gross income shall be treated as income from sources within the United States:

(1) Interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise, not including (A) interest on deposits with persons carrying on the banking business paid to persons not engaged in business within the United States and not having an office or place of business therein, or (B) interest received from a resident alien individual or a resident foreign corporation when it is shown to the satisfaction of the Commissioner that less than 20 per centum of the gross income of such resident payor has been derived from sources within the United States, as determined under the provisions of this section, for the three-year period ending with the close of the taxable year of such payor, or for such part of such period immediately preceding the close of such taxable year as may be applicable;

(2) The amount received as dividends (A) from a domestic corporation other than a corporation entitled to the benefits of section 262, or (B) from a foreign corporation unless less than 50 per centum of the gross income of such foreign corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corpora-

Nonresident aliens.

Items deemed gross income from United States sources. Post, p. 271.

Interest on bonds, etc., of residents. Exceptions.

Dividends from domestic corporations, etc.

**INCOME TAX.**

Personal services in United States.

Rents or royalties, etc., for property in the United States.

Real estate sales.

Deductions of designated expenses, constitute net income in United States.

Items not income from United States sources.

Other interest.

Other dividends.

Labor, etc., without the United States.

Other rents and royalties.

Sales of other real property.

Expenses connected with excepted items to be deducted.

Remainder net income from without the United States.

Apportionment of items within and without the United States.

From United States sources.

From sources partly within and without the United States.

Determination of United States income.

tion has been in existence) was derived from sources within the United States as determined under the provisions of this section;

(3) Compensation for labor or personal services performed in the United States;

(4) Rentals or royalties from property located in the United States or from any interest in such property, including rentals or royalties for the use of or for the privilege of using in the United States, patents, copyrights, secret processes and formulas, good will, trade-marks, trade brands, franchises, and other like property; and

(5) Gains, profits, and income from the sale of real property located in the United States.

(b) From the items of gross income specified in subdivision (a) there shall be deducted the expenses, losses, and other deductions properly apportioned or allocated thereto and a ratable part of any expenses, losses, or other deductions which can not definitely be allocated to some item or class of gross income. The remainder, if any, shall be included in full as net income from sources within the United States.

(c) The following items of gross income shall be treated as income from sources without the United States:

(1) Interest other than that derived from sources within the United States as provided in paragraph (1) of subdivision (a);

(2) Dividends other than those derived from sources within the United States as provided in paragraph (2) of subdivision (a);

(3) Compensation for labor or personal service performed without the United States;

(4) Rentals or royalties from property located without the United States or from any interest in such property, including rentals or royalties for the use of or for the privilege of using without the United States, patents, copyrights, secret processes and formulas, good will, trade-marks, trade brands, franchises, and other like property; and

(5) Gains, profits, and income from the sale of real property located without the United States.

(d) From the items of gross income specified in subdivision (c) there shall be deducted the expenses, losses, and other deductions properly apportioned or allocated thereto, and a ratable part of any expenses, losses, or other deductions which can not definitely be allocated to some item or class of gross income. The remainder, if any, shall be treated in full as net income from sources without the United States.

(e) Items of gross income, expenses, losses and deductions, other than those specified in subdivisions (a) and (c), shall be allocated or apportioned to sources within or without the United States under rules and regulations prescribed by the Commissioner with the approval of the Secretary. Where items of gross income are separately allocated to sources within the United States, there shall be deducted (for the purpose of computing the net income therefrom) the expenses, losses and other deductions properly apportioned or allocated thereto and a ratable part of other expenses, losses or other deductions which can not definitely be allocated to some item or class of gross income. The remainder, if any, shall be included in full as net income from sources within the United States. In the case of gross income derived from sources partly within and partly without the United States, the net income may first be computed by deducting the expenses, losses or other deductions apportioned or allocated thereto and a ratable part of any expenses, losses or other deductions which can not definitely be allocated to some item or class of gross income; and the portion of such net income attributable to sources within the United States may be determined by processes or formulas

of general apportionment prescribed by the Commissioner with the approval of the Secretary. Gains, profits and income from (1) transportation or other services rendered partly within and partly without the United States, or (2) from the sale of personal property produced (in whole or in part) by the taxpayer within and sold without the United States, or produced (in whole or in part) by the taxpayer without and sold within the United States, shall be treated as derived partly from sources within and partly from sources without the United States. Gains, profits and income derived from the purchase of personal property within and its sale without the United States or from the purchase of personal property without and its sale within the United States, shall be treated as derived entirely from the country in which sold.

(f) As used in this section the words "sale" or "sold" include "exchange" or "exchanged"; and the word "produced" includes "created," "fabricated," "manufactured," "extracted," "processed," "cured," or "aged."

(g) A nonresident alien individual or a citizen entitled to the benefits of section 262 shall receive the benefit of the deductions and credits allowed in this title only by filing or causing to be filed with the collector a true and accurate return of his total income received from all sources corporate or otherwise in the United States, in the manner prescribed in this title; including therein all the information which the Commissioner may deem necessary for the calculation of such deductions and credits: *Provided*, That the benefit of the credit allowed in subdivision (e) of section 216 may, in the discretion of the Commissioner, be received by filing a claim therefor with the withholding agent. In case of failure to file a return, the collector shall collect the tax on such income, and all property belonging to such nonresident alien individual or foreign trader shall be liable to distraint for the tax.

INCOME TAX.  
Gains from transportation services.

Sales of personal property within and without.

Purchase of personal property.

Synonymous meaning of words.

Returns of total income from United States sources to be made by nonresident aliens, etc.

*Provided*.  
Personal exemptions.

Collection, etc., on failure to file returns.

#### PARTNERSHIPS AND PERSONAL SERVICE CORPORATIONS.

SEC. 218. (a) That individuals carrying on business in partnership shall be liable for income tax only in their individual capacity. There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year, or, if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his distributive share of the net income of the partnership for any accounting period of the partnership ending within the fiscal or calendar year upon the basis of which the partner's net income is computed.

(b) The partner shall, for the purpose of the normal tax, be allowed as credits, in addition to the credits allowed to him under section 216, his proportionate share of such amounts specified in subdivisions (a) and (b) of section 216 as are received by the partnership:

(c) The net income of the partnership shall be computed in the same manner and on the same basis as provided in section 212 except that the deduction provided in paragraph (11) of subdivision (a) of section 214 shall not be allowed.

(d) Personal service corporations shall not be subject to taxation under this title, but the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. All the provisions of this title relating to partnerships and the members thereof shall so far as practicable apply to personal service corporations and the stockholders thereof: *Provided*, That for the purpose of this subdivision amounts distributed by a personal service corporation during its taxable year shall be accounted for by the distributees; and any

Partnerships.

Partners taxed as individuals.  
Share of income computed.  
*Post*, p. 319.

Additional credits from partnership exemptions.

Net income computed.

Personal service corporations.  
Individual stockholders taxed same as partners.  
Provisions thereof applicable.

*Provided*.  
Accounting by distributees, etc.



**INCOME TAX.**

To terminate Decem-  
ber 31, 1921.  
Division for fiscal  
year ending in 1922.

Under this Act.

portion of the net income remaining undistributed at the close of its taxable year shall be accounted for by the stockholders of such corporation at the close of its taxable year in proportion to their respective shares.

This subdivision shall not be in effect after December 31, 1921. In the case of a personal service corporation having a fiscal year beginning in 1921 and ending in 1922, amounts distributed prior to January 1, 1922, to its stockholders out of earnings or profits accumulated after December 31, 1920, shall be taxed to the distributees; and the stockholders of record on December 31, 1921, shall be taxed upon their distributive shares of the difference (if any) between such distributive profits and the portion of the corporation's net income assignable to the calendar year 1921, determined in the manner provided in clause (1) of subdivision (c) of section 205 of this Act.

**Estates and trusts.****ESTATES AND TRUSTS.****Income taxed.**

**SEC. 219. (a)** That the tax imposed by sections 210 and 211 shall apply to the income of estates or of any kind of property held in trust, including—

Received during ad-  
ministration.

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate;

Trust accumulations.

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests;

Held for future dis-  
tribution.

(3) Income held for future distribution under the terms of the will or trust; and

Periodically distrib-  
uted.

(4) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed as the court may direct.

Responsibility for re-  
turns.  
Net income com-  
puted.

(b) The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts. The net income of the estate or trust shall be computed in the same manner and on the same basis as provided in section 212, except that (in lieu of the deduction authorized by paragraph (11) of subdivision (a) of section 214) there shall also be allowed as a deduction, without limitation, any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid or permanently set aside for the purposes and in the manner specified in paragraph (11) of subdivision (a) of section 214. In cases in which there is any income of the class described in paragraph (4) of subdivision (a) of this section the fiduciary shall include in the return a statement of the income of the estate or trust which, pursuant to the instrument or order governing the distribution, is distributable to each beneficiary, whether or not distributed before the close of the taxable year for which the return is made.

Gifts, etc., allowed  
without limitation.

Statement of shares  
of distributees.

Payments by fiduci-  
ary.

(c) In cases under paragraphs (1), (2), or (3) of subdivision (a) or in any other case within subdivision (a) of this section except paragraph (4) thereof the tax shall be imposed upon the net income of the estate or trust and shall be paid by the fiduciary, except that in determining the net income of the estate of any deceased person during the period of administration or settlement there may be deducted the amount of any income properly paid or credited to any legatee, heir, or other beneficiary. In such cases the estate or trust shall, for the purpose of the normal tax, be allowed the same credits as are allowed to single persons under section 216.

Deductions allowed.  
its allowed.

Payments by bene-  
ficiary of distributive  
shares.

(d) In cases under paragraph (4) of subdivision (a), and in the case of any income of an estate during the period of administration or settlement permitted by subdivision (c) to be deducted from the net income upon which tax is to be paid by the fiduciary, the tax

shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary that part of the income of the estate or trust for its taxable year which, pursuant to the instrument or order governing the distribution, is distributable to such beneficiary, whether distributed or not, or, if his taxable year is different from that of the estate or trust, then there shall be included in computing his net income his distributive share of the income of the estate or trust for its taxable year ending within the taxable year of the beneficiary. In such cases the beneficiary shall, for the purpose of the normal tax, be allowed as credits, in addition to the credits allowed to him under section 216, his proportionate share of such amounts specified in subdivisions (a) and (b) of section 216 as are received by the estate or trust.

INCOME TAX.

Credits allowed.

Computation, etc., if periodical, included with other income.

Allowance for distribution to beneficiaries.

Part included in income of beneficiary.

Profit-sharing trust for employees not taxed.

Distributees taxed on amount received.

Credits allowed.

Evasion of surtaxes by incorporation.

Tax on income of corporations accumulating gains, etc., to avoid surtaxes of stockholders.

Computation of.

Proviso. Individual tax in lieu of, by agreement with stockholders.

(e) In the case of an estate or trust the income of which consists both of income of the class described in paragraph (4) of subdivision (a) of this section and other income, the net income of the estate or trust shall be computed and a return thereof made by the fiduciary in accordance with subdivision (b) and the tax shall be imposed, and shall be paid by the fiduciary in accordance with subdivision (c), except that there shall be allowed as an additional deduction in computing the net income of the estate or trust that part of its income of the class described in paragraph (4) of subdivision (a) which, pursuant to the instrument or order governing the distribution, is distributable during its taxable year to the beneficiaries. In cases under this subdivision there shall be included, as provided in subdivision (d) of this section, in computing the net income of each beneficiary, that part of the income of the estate or trust which, pursuant to the instrument or order governing the distribution, is distributable during the taxable year to such beneficiary.

(f) A trust created by an employer as a part of a stock bonus or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under this section, but the amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him. Such distributees shall for the purpose of the normal tax be allowed as credits that part of the amount so distributed or made available as represents the items specified in subdivisions (a) and (b) of section 216.

#### EVASION OF SURTAXES BY INCORPORATION.

SEC. 220. That if any corporation, however created or organized, is formed or availed of for the purpose of preventing the imposition of the surtax upon its stockholders or members through the medium of permitting its gains and profits to accumulate instead of being divided or distributed, there shall be levied, collected, and paid for each taxable year upon the net income of such corporation a tax equal to 25 per centum of the amount thereof, which shall be in addition to the tax imposed by section 230 of this title and shall be computed, collected, and paid upon the same basis and in the same manner and subject to the same provisions of law, including penalties, as that tax: *Provided*, That if all the stockholders or members of such corporation agree thereto, the Commissioner may, in lieu of all income, war-profits and excess-profits taxes imposed upon the corporation for the taxable year, tax the stockholders or members of such corporation upon their distributive shares in the net income of the

**INCOME TAX.**

Evidence of purpose of incorporation.

Statement of gains, names, etc., to be made.

Payment of tax at source.

Normal tax of non-resident aliens, etc., payable thereat.

*Proviso.*  
Interest of unknown owners included.

By corporations agreeing to pay interest free from tax.

Tax to be withheld.

*Proviso.*  
Of unknown owners.

Exception on notice of claim for credits filed by individual.

Nonresident aliens.

corporation for the taxable year in the same manner as provided in subdivision (a) of section 218 in the case of members of a partnership. The fact that any corporation is a mere holding company, or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business, shall be prima facie evidence of a purpose to escape the surtax; but the fact that the gains and profits are in any case permitted to accumulate and become surplus shall not be construed as evidence of a purpose to escape the tax in such case unless the Commissioner certifies that in his opinion such accumulation is unreasonable for the purposes of the business. When requested by the Commissioner, or any collector, every corporation shall forward to him a correct statement of such gains and profits and the names and addresses of the individuals or shareholders who would be entitled to the same if divided or distributed, and of the amounts that would be payable to each.

**PAYMENT OF INDIVIDUAL'S TAX AT SOURCE.**

**SEC. 221.** (a) That all individuals, corporations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers, and all officers and employees of the United States having the control, receipt, custody, disposal, or payment of interest (except interest on deposits with persons carrying on the banking business paid to persons not engaged in business in the United States and not having an office or place of business therein), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income, of any nonresident alien individual or partnership composed in whole or in part of nonresident aliens (other than income received as dividends of the class allowed as a credit by subdivision (a) of section 216) shall (except in the cases provided for in subdivision (b) and except as otherwise provided in regulations prescribed by the Commissioner under section 217) deduct and withhold from such annual or periodical gains, profits, and income a tax equal to 8 per centum thereof: *Provided*, That the Commissioner may authorize such tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent.

(b) In any case where bonds, mortgages, or deeds of trust, or other similar obligations of a corporation contain a contract or provision by which the obligor agrees to pay any portion of the tax imposed by this title upon the obligee, or to reimburse the obligee for any portion of the tax, or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon, or to retain therefrom under any law of the United States, the obligor shall deduct and withhold a tax equal to 2 per centum of the interest upon such bonds, mortgages, deeds of trust, or other obligations, whether such interest is payable annually or at shorter or longer periods and whether payable to a nonresident alien individual or to an individual citizen or resident of the United States or to a partnership: *Provided*, That the Commissioner may authorize such tax to be deducted and withheld in the case of interest upon any such bonds, mortgages, deeds of trust, or other obligations, the owners of which are not known to the withholding agent. Such deduction and withholding shall not be required in the case of a citizen or resident entitled to receive such interest, if he files with the withholding agent on or before February 1 a signed notice in writing claiming the benefit of the credits provided in subdivisions (c) and (d) of section 216; nor in the case of a nonresident alien individual if so provided for in regulations prescribed by the Commissioner under subdivision (g) of section 217.

(c) Every individual, corporation, or partnership required to deduct and withhold any tax under this section shall make return thereof on or before March 1 of each year and shall on or before June 15 pay the tax to the official of the United States Government authorized to receive it. Every such individual, corporation, or partnership is hereby made liable for such tax and is hereby indemnified against the claims and demands of any individual, corporation, or partnership for the amount of any payments made in accordance with the provisions of this section.

(d) Income upon which any tax is required to be withheld at the source under this section shall be included in the return of the recipient of such income, but any amount of tax so withheld shall be credited against the amount of income tax as computed in such return.

(e) If any tax required under this section to be deducted and withheld is paid by the recipient of the income, it shall not be recollected from the withholding agent; nor in cases in which the tax is so paid shall any penalty be imposed upon or collected from the recipient of the income or the withholding agent for failure to return or pay the same, unless such failure was fraudulent and for the purpose of evading payment.

## INCOME TAX.

Returns by withholding agent.

Indemnity for payment, etc.

Return by recipient of tax withheld.

Tax by recipient not collectible, etc.

## CREDIT FOR TAXES IN CASE OF INDIVIDUALS.

Credit for taxes.

SEC. 222. (a) That the tax computed under Part II of this title shall be credited with:

Allowances.

(1) In the case of a citizen of the United States, the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country or to any possession of the United States; and

Citizens, of amount paid to foreign countries, etc.

(2) In the case of a resident of the United States, the amount of any such taxes paid during the taxable year to any possession of the United States; and

Residents, to United States possessions.

(3) In the case of an alien resident of the United States, the amount of any such taxes paid during the taxable year to any foreign country, if the foreign country of which such alien resident is a citizen or subject, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country; and

Alien residents, to foreign country, if similar allowance there.

(4) In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid during the taxable year to a foreign country or to any possession of the United States, as the case may be.

Partners, trust beneficiaries, etc., to foreign countries.

(5) The above credits shall not be allowed in the case of a citizen entitled to the benefits of section 262; and in no other case shall the amount of credit taken under this subdivision exceed the same proportion of the tax, against which such credit is taken, which the taxpayer's net income (computed without deduction for any income, war-profits and excess-profits taxes imposed by any foreign country or possession of the United States) from sources without the United States bears to his entire net income (computed without such deduction) for the same taxable year.

Exception. Post, p. 271. Amount limited.

(b) If accrued taxes when paid differ from the amounts claimed as credits by the taxpayer, or if any tax paid is refunded in whole or in part, the taxpayer shall notify the Commissioner, who shall redetermine the amount of the tax due under Part II of this title for the year or years affected, and the amount of tax due upon such redetermination, if any, shall be paid by the taxpayer upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the Com-

Redetermination if tax paid differ from credits claimed, etc.

INCOME TAX.  
Bond required if ac-  
crued tax not paid.

Evidence of foreign  
income, etc., required.

Determination of re-  
turns for fiscal year  
ending in 1921.

missioner as a condition precedent to the allowance of this credit may require the taxpayer to give a bond with sureties satisfactory to and to be approved by the Commissioner in such penal sum as the Commissioner may require, conditioned for the payment by the taxpayer of any amount of tax found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the Commissioner may require.

(c) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the Commissioner showing the amount of income derived from sources without the United States, and all other information necessary for the verification and computation of such credits.

(d) If the taxpayer makes a return for a fiscal year beginning in 1920 and ending in 1921, the credit for the entire fiscal year shall, notwithstanding any provision of this Act, be determined under the provisions of this section; and the Commissioner is authorized to disallow, in whole or part, any such credit which he finds has already been taken by the taxpayer.

#### Individual returns.

#### INDIVIDUAL RETURNS.

Sworn statement of  
gross income, etc.

Having net income  
of \$1,000.

Over \$2,000, if mar-  
ried.

Gross income over  
\$5,000.

Husband and wife.

By agent, etc.

SEC. 223. (a) That the following individuals shall each make under oath a return stating specifically the items of his gross income and the deductions and credits allowed under this title—

(1) Every individual having a net income for the taxable year of \$1,000 or over, if single, or if married and not living with husband or wife;

(2) Every individual having a net income for the taxable year of \$2,000 or over, if married and living with husband or wife; and

(3) Every individual having a gross income for the taxable year of \$5,000 or over, regardless of the amount of his net income.

(b) If a husband and wife living together have an aggregate net income for the taxable year of \$2,000 or over, or an aggregate gross income for such year of \$5,000 or over—

(1) Each shall make such a return, or

(2) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income.

(c) If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

#### Partnership returns.

#### PARTNERSHIP RETURNS.

Sworn statement of  
gross income, etc.  
Details.

SEC. 224. That every partnership shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

#### Fiduciary returns.

#### FIDUCIARY RETURNS.

Sworn statement of  
income of beneficiaries.

SEC. 225. (a) That every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this title—

- (1) Every individual having a net income for the taxable year of \$1,000 or over, if single, or if married and not living with husband or wife; INCOME TAX.  
Individual net income of \$1,000 if single, etc.
- (2) Every individual having a net income for the taxable year of \$2,000 or over, if married and living with husband or wife; Of \$2,000, if married, etc.
- (3) Every individual having a gross income for the taxable year of \$5,000 or over, regardless of the amount of his net income; Of gross income over \$5,000.
- (4) Every estate or trust the net income of which for the taxable year is \$1,000 or over; and Estates or trusts over \$1,000.
- (5) Every estate or trust of which any beneficiary is a nonresident alien. Nonresident alien beneficiaries.
- (b) Under such regulations as the Commissioner with the approval of the Secretary may prescribe a return made by one of two or more joint fiduciaries and filed in the office of the collector of the district where such fiduciary resides shall be sufficient compliance with the above requirement. Such fiduciary shall make oath (1) that he has sufficient knowledge of the affairs of the individual, estate or trust for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct. Any fiduciary required to make a return under this Act shall be subject to all the provisions of this Act which apply to individuals. By joint fiduciaries.  
  
Oath, etc.  
  
Provisions applicable.

#### RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS.

SEC. 226. (a) That if a taxpayer, with the approval of the Commissioner, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31. If the change is from calendar year to fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year.

(b) In all cases where a separate return is made for a part of a taxable year the net income shall be computed on the basis of such period for which separate return is made, and the tax shall be paid thereon at the rate for the calendar year in which such period is included.

(c) In the case of a return for a period of less than one year the net income shall be placed on an annual basis by multiplying the amount thereof by twelve and dividing by the number of months included in such period; and the tax shall be such part of a tax computed on such annual basis as the number of months in such period is of twelve months.

#### TIME AND PLACE FOR FILING INDIVIDUAL, PARTNERSHIP, AND FIDUCIARY RETURNS.

SEC. 227. (a) That returns (except in the case of nonresident aliens) shall be made on or before the fifteenth day of the third month following the close of the fiscal year, or, if the return is made on the basis of the calendar year, then the return shall be made on or before the 15th day of March. In the case of a nonresident alien individual returns shall be made on or before the fifteenth day of the sixth month following the close of the fiscal year, or, if the return is made on the basis of the calendar year, then the return shall be made on or before the 15th day of June. The Commissioner may

Returns for less than twelve months.

Basis when accounting periods changed.

Method of computation.

For less than a year.

Returns.

Time for filing.

By nonresident aliens.

Extensions permitted.

**INCOME TAX.****Limit.**

To collector of district, etc.

grant a reasonable extension of time for filing returns whenever in his judgment good cause exists and shall keep a record of every such extension and the reason therefor. Except in the case of taxpayers who are abroad, no such extension shall be for more than six months.

(b) Returns shall be made to the collector for the district in which is located the legal residence or principal place of business of the person making the return, or, if he has no legal residence or principal place of business in the United States, then to the collector at Baltimore, Maryland.

Understatement in returns.

**UNDERSTATEMENT IN RETURNS.**

Increase by collector on notice given, etc.

Appeal to Commissioner, etc.

SEC. 228. That if the collector or deputy collector has reason to believe that the amount of any income returned is understated, he shall give due notice to the taxpayer making the return to show cause why the amount of the return should not be increased, and upon proof of the amount understated, may increase the same accordingly. Such taxpayer may furnish sworn testimony to prove any relevant facts and if dissatisfied with the decision of the collector may appeal to the Commissioner for his decision, under such rules of procedure as may be prescribed by the Commissioner with the approval of the Secretary.

**New incorporations.****INCORPORATION OF INDIVIDUAL OR PARTNERSHIP BUSINESS.**

Corporations organized within four months.

Optional tax if business previously individual or partnership.

SEC. 229. That in the case of the organization as a corporation within four months after the passage of this act of any trade or business in which capital is a material income-producing factor, and which was previously owned by a partnership or individual, the net income of such trade or business from January 1, 1921, to the date of such organization may at the option of the individual or partnership be taxed as the net income of a corporation is taxed under Titles II and III; in which event the net income and invested capital of such trade or business shall be computed as if such corporation had been in existence on and after January 1, 1921, and the undistributed profits or earnings of such trade or business shall not be subject to the surtaxes imposed in section 211, but amounts distributed on and after January 1, 1921, from the earnings or profits of such trade or business accumulated after December 31, 1920, shall be taxed to the recipients as dividends; and all the provisions of Titles II and III relating to corporations shall so far as practicable apply to such trade or business: *Provided*, That this section shall not apply to any trade or business, the net income of which for the taxable year 1921 was less than 20 per centum of its invested capital for such year: *Provided further*, That any taxpayer who takes advantage of this section shall pay the tax imposed by section 1000 of the Revenue Act of 1918 as if such taxpayer had been a corporation on and after January 1, 1921.

*Proviso.*  
Application restricted.

Payment of corporation excise tax.  
Vol. 40, p. 1126.

**Corporations.****PART III.—CORPORATIONS.****Tax levied.****TAX ON CORPORATIONS.**

On net income.  
Vol. 40, p. 1076, amended.

For calendar year 1921.

Each year thereafter.

SEC. 230. That, in lieu of the tax imposed by section 230 of the Revenue Act of 1918, there shall be levied, collected, and paid for each taxable year upon the net income of every corporation a tax at the following rates:

(a) For the calendar year 1921, 10 per centum of the amount of the net income in excess of the credits provided in section 236; and  
(b) For each calendar year thereafter, 12½ per centum of such excess amount.

## CONDITIONAL AND OTHER EXEMPTIONS OF CORPORATIONS.

SEC. 231. That the following organizations shall be exempt from taxation under this title—

(1) Labor, agricultural, or horticultural organizations;  
 (2) Mutual savings banks not having a capital stock represented by shares;

(3) Fraternal beneficiary societies, orders, or associations, (a) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system; and (b) providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents;

(4) Domestic building and loan associations substantially all the business of which is confined to making loans to members; and co-operative banks without capital stock organized and operated for mutual purposes and without profit;

(5) Cemetery companies owned and operated exclusively for the benefit of their members or which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private stockholder or individual;

(6) Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual;

(7) Business leagues, chambers of commerce, or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private stockholder or individual;

(8) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare;

(9) Clubs organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member;

(10) Farmers' or other mutual hail, cyclone, or fire insurance companies, mutual ditch or irrigation companies, mutual or cooperative telephone companies, or like organizations of a purely local character, the income of which consists solely of assessments, dues, and fees collected from members for the sole purpose of meeting expenses;

(11) Farmers', fruit growers', or like associations, organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them; or organized and operated as purchasing agents for the purpose of purchasing supplies and equipment for the use of members and turning over such supplies and equipment to such members at actual cost, plus necessary expenses;

(12) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this title;

(13) Federal land banks and national farm-loan associations as provided in section 26 of the Act approved July 17, 1916, entitled "An Act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositories and financial agents for the United States, and for other purposes";

INCOME TAX.  
Exemptions.

Designated organizations.  
 Vol. 40, p. 1076, amended.  
 Labor, etc.  
 Mutual savings banks, etc.

Fraternal beneficiary societies, etc.

Mutual building and loan associations, etc.

Mutual cemetery companies, etc.  
 Corporations solely for burial purposes.

Community chests, religious, scientific, etc., societies.

Business leagues, etc.

Civic leagues, etc.

Pleasure clubs, etc.

Farmers' mutual local associations, etc.

Associations for marketing farm products, etc.

As purchasing agents for supplies, etc.

Trustees for exempted organizations.

Federal land banks, and farm loan associations.  
 Vol. 39, p. 380.



INCOME TAX.  
Personal service corporations.  
Until December 31, 1921.

(14) Personal service corporations. This subdivision shall not be in effect after December 31, 1921.

Corporation net income.  
Computation of domestic.

#### NET INCOME OF CORPORATIONS DEFINED.

SEC. 232. That in the case of a corporation subject to the tax imposed by section 230 the term "net income" means the gross income as defined in section 233 less the deductions allowed by section 234, and the net income shall be computed on the same basis as is provided in subdivision (b) of section 212 or in section 226. In the case of a foreign corporation or of a corporation entitled to the benefits of section 262 the computation shall also be made in the manner provided in section 217.

Gross income.

#### GROSS INCOME OF CORPORATIONS DEFINED.

Sources of domestic.  
*Ante*, p. 252.

SEC. 233. (a) That in the case of a corporation subject to the tax imposed by section 230 the term "gross income" means the gross income as defined in sections 213 and 217, except that mutual marine insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance.

Foreign, etc.  
From United States sources.

(b) In the case of a foreign corporation, gross income means only gross income from sources within the United States, determined (except in the case of insurance companies subject to the tax imposed by section 243 or 246) in the manner provided in section 217.

*Ante*, p. 243.

Deductions.

#### DEDUCTIONS ALLOWED CORPORATIONS.

Designation of.  
Vol. 40, p. 1077.

SEC. 234. (a) That in computing the net income of a corporation subject to the tax imposed by section 230 there shall be allowed as deductions:

Business expenses.

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title, or in which it has no equity;

Interest on debts.  
Exceptions.

(2) All interest paid or accrued within the taxable year on its indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly exempt from taxation under this title;

Domestic taxes.  
Exception.

(3) Taxes paid or accrued within the taxable year except (a) income, war-profits, and excess-profits taxes imposed by the authority of the United States, (b) so much of the income, war-profits and excess-profits taxes imposed by the authority of any foreign country or possession of the United States as is allowed as a credit under section 238, and (c) taxes assessed against local benefits of a kind tending to increase the value of the property assessed. In the case of obligors specified in subdivision (b) of section 221 no deduction for the payment of the tax imposed by this title, or any other tax paid pursuant to the contract or provision referred to in that subdivision, shall be allowed, nor shall such tax be included in the gross income of the obligee.

Foreign taxes.

Not applicable to corporations guaranteeing interest free from tax.

(3) Taxes paid or accrued within the taxable year except (a) income, war-profits, and excess-profits taxes imposed by the authority of the United States, (b) so much of the income, war-profits and excess-profits taxes imposed by the authority of any foreign country or possession of the United States as is allowed as a credit under section 238, and (c) taxes assessed against local benefits of a kind tending to increase the value of the property assessed. In the case of obligors specified in subdivision (b) of section 221 no deduction for the payment of the tax imposed by this title, or any other tax paid pursuant to the contract or provision referred to in that subdivision, shall be allowed, nor shall such tax be included in the gross income of the obligee. The deduction allowed by this paragraph shall be allowed in the case of taxes imposed upon a shareholder or member of a corporation upon his interest as shareholder or member, which are paid by the corporation without reimbursement from the shareholder or member, but in such cases no deduction shall be allowed the shareholder or member

Allowed, if paid on interest of stockholder.

for the amount of such taxes. For the purpose of this paragraph, estate, inheritance, legacy, and succession taxes accrue on the due date thereof except as otherwise provided by the law of the jurisdiction imposing such taxes;

INCOME TAX.  
Accrual of estate,  
etc., taxes.

Losses.

Restriction as to, on  
sales of stock, etc.,  
hereafter.

Property acquired  
before March 1, 1913.

Worthless debts.

Dividends from  
domestic corporations.

Foreign corpora-  
tions, from United  
States sources.

Exhaustion, etc., of  
property.

Acquired before  
March 1, 1913.

Amortization of cost  
of plants, vessels, etc.,  
for World War uses.

Limitation.

Redetermination of  
tax, etc., allowed be-  
fore March 3, 1924.

Payment or refund.

(4) Losses sustained during the taxable year and not compensated for by insurance or otherwise; unless, in order to clearly reflect the income, the loss should in the opinion of the Commissioner be accounted for as of a different period. No deduction shall be allowed for any loss claimed to have been sustained in any sale or other disposition of shares of stock or securities made after the passage of this Act where it appears that within thirty days before or after the date of such sale or other disposition the taxpayer has acquired (otherwise than by bequest or inheritance) substantially identical property, and the property so acquired is held by the taxpayer for any period after such sale or other disposition, unless such claim is made by a dealer in stock or securities and with respect to a transaction made in the ordinary course of its business. If such acquisition is to the extent of part only of substantially identical property, then only a proportionate part of the loss shall be disallowed. In case of losses arising from destruction of or damage to property, where the property so destroyed or damaged was acquired before March 1, 1913, the deduction shall be computed upon the basis of its fair market price or value as of March 1, 1913;

(5) Debts ascertained to be worthless and charged off within the taxable year (or in the discretion of the Commissioner, a reasonable addition to a reserve for bad debts); and when satisfied that a debt is recoverable only in part, the Commissioner may allow such debt to be charged off in part;

(6) The amount received as dividends (A) from a domestic corporation other than a corporation entitled to the benefits of section 262, or (B) from any foreign corporation when it is shown to the satisfaction of the Commissioner that more than 50 per centum of the gross income of such foreign corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the foreign corporation has been in existence) was derived from sources within the United States as determined under section 217;

(7) A reasonable allowance for the exhaustion, wear and tear of property used in the trade or business, including a reasonable allowance for obsolescence. In the case of such property acquired before March 1, 1913, this deduction shall be computed upon the basis of its fair market price or value as of March 1, 1913;

(8) In the case of buildings, machinery, equipment, or other facilities, constructed, erected, installed, or acquired, on or after April 6, 1917, for the production of articles contributing to the prosecution of the war against the German Government, and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of such war, there shall be allowed, for any taxable year ending before March 3, 1924 (if claim therefor was made at the time of filing return for the taxable year 1918, 1919, 1920, or 1921) a reasonable deduction for the amortization of such part of the cost of such facilities or vessels as has been borne by the taxpayer, but not again including any amount otherwise allowed under this title or previous Acts of Congress as a deduction in computing net income. At any time before March 3, 1924, the Commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect, the income, war-profits, and excess-profits taxes for the year or years affected shall be redetermined and the

## INCOME TAX.

Post, p. 268.

Mines, oil wells, timber, etc.

Allowance for depletion, depreciation, etc.

Provisions.  
Basis if acquired prior to March 1, 1913.

Discovered thereafter by taxpayer.

Allowance based on discovery value.

Regulations to be prescribed.

Leases.

Insurance companies.  
Additional for reserve funds, etc., except life insurance.

Limitation after December 31, 1921.

Reserve for weekly payment policies.

Terminates December 31, 1921.  
Mutual marine companies.

Premium repayments.

Other mutual insurance companies.

From returned deposits, etc.

amount of tax due upon such redetermination, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252;

(9) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, based upon cost including cost of development not otherwise deducted: *Provided*, That in the case of such properties acquired prior to March 1, 1913, the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date: *Provided further*, That in the case of mines, oil and gas wells, discovered by the taxpayer, on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery, or within thirty days thereafter: *And provided further*, That such depletion allowance based on discovery value shall not exceed the net income, computed without allowance for depletion, from the property upon which the discovery is made, except where such net income so computed is less than the depletion allowance based on cost or fair market value as of March 1, 1913; such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the Commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee;

(10) In the case of insurance companies (other than life insurance companies), in addition to the above (unless otherwise allowed): (A) The net addition required by law to be made within the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers pursuant to law as additions to guarantee or reserve funds); and (B) the sums other than dividends paid within the taxable year on policy and annuity contracts. After December 31, 1921, this subdivision shall apply only to mutual insurance companies other than life insurance companies;

(11) In the case of corporations (except those taxed under section 243) issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan continuing for life and not subject to cancellation, in addition to the above, such portion of the net addition (not required by law) made within the taxable year to reserve funds as the Commissioner finds to be required for the protection of the holders of such policies only. This subdivision shall not be in effect after December 31, 1921;

(12) In the case of mutual marine insurance companies, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, and paragraph (14), unless otherwise allowed, amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment and the payment thereof;

(13) In the case of mutual insurance companies (including inter-insurers and reciprocal underwriters, but not including mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, and paragraph (14), unless otherwise allowed, the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves;

(14) If property is compulsorily or involuntarily converted into cash or its equivalent as a result of (A) its destruction in whole or in part, (B) theft or seizure, or (C) an exercise of the power of requisition or condemnation, or the threat or imminence thereof; and if the taxpayer proceeds forthwith in good faith, under regulations prescribed by the Commissioner with the approval of the Secretary, to expend the proceeds of such conversion in the acquisition of other property of a character similar or related in service or use to the property so converted, or in the acquisition of 80 per centum or more of the stock or shares of a corporation owning such other property, or in the establishment of a replacement fund, then there shall be allowed as a deduction such portion of the gain derived as the portion of the proceeds so expended bears to the entire proceeds. The provisions of this paragraph prescribing the conditions under which a deduction may be taken in respect of the proceeds or gains derived from the compulsory or involuntary conversion of property into cash or its equivalent, shall apply so far as may be practicable to the exemption or exclusion of such proceeds or gains from gross income under prior income, war-profits and excess-profits tax Acts.

INCOME TAX.  
Proceeds from involuntary conversion of property.

Conditions on use of.

Applicable to prior laws.

Foreign, etc., corporations.  
Allowance on income from United States sources.

(b) In the case of a foreign corporation or of a corporation entitled to the benefits of section 262 the deductions allowed in subdivision (a) shall be allowed only if and to the extent that they are connected with income from sources within the United States; and the proper apportionment and allocation of the deductions with respect to sources within and without the United States shall be determined as provided in section 217 under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

#### ITEMS NOT DEDUCTIBLE BY CORPORATIONS.

SEC. 235. That in computing net income no deduction shall in any case be allowed in respect of any of the items specified in section 215.

Items not deductible.

Same as by individuals.  
Act, p. 242.

#### CREDITS ALLOWED CORPORATIONS.

Credits allowed.

Designation of.

SEC. 236. That for the purpose only of the tax imposed by section 230 there shall be allowed the following credits:

Interest on Federal obligations, etc.

(a) The amount received as interest upon obligations of the United States and bonds issued by the War Finance Corporation, which is included in gross income under section 233;

Domestic corporations.  
Specific \$2,000, if income \$25,000 or less, etc.

(b) In the case of a domestic corporation the net income of which is \$25,000 or less, a specific credit of \$2,000; but if the net income is more than \$25,000 the tax imposed by section 230 shall not exceed the tax which would be payable if the \$2,000 credit were allowed, plus the amount of the net income in excess of \$25,000; and

War and excess profits tax.  
Determination of.

(c) The amount of any war-profits and excess-profits taxes imposed by Act of Congress for the same taxable year. The credit allowed by this subdivision shall be determined as follows:

For fiscal year ending in 1921.

(1) In the case of a corporation which makes return for a fiscal year beginning in 1920 and ending in 1921, in computing the income tax as provided in subdivision (a) of section 205, the portion of the war-profits and excess-profits tax computed for the entire period under clause (1) of subdivision (a) of section 335 shall be credited against the net income computed for the entire period as provided in clause (1) of subdivision (a) of section 205, and the portion of the war-profits and excess-profits tax computed for the entire period under clause (2) of subdivision (a) of section 335 shall be credited against the net income computed for the entire period as provided in clause (2) of subdivision (a) of section 205.

(2) In the case of a corporation which makes return for a fiscal year beginning in 1921 and ending in 1922, in computing the income

For fiscal year ending in 1922.

## INCOME TAX.

tax as provided in subdivision (b) of section 205, the war-profits and excess-profits tax computed under subdivision (b) of section 335 shall be credited against the net income computed for the entire period as provided in clause (1) of subdivision (b) of section 205.

## Payment at source.

Of foreign corporations not in business in United States.

*Ante*, p. 248.

*Provided*. Interest free from tax.

## PAYMENT OF CORPORATION INCOME TAX AT SOURCE.

SEC. 237. That in the case of foreign corporations subject to taxation under this title not engaged in trade or business within the United States and not having any office or place of business therein, there shall be deducted and withheld at the source in the same manner and upon the same items of income as is provided in section 221 a tax equal to 12½ per centum thereof (but during the calendar year 1921 only 10 per centum), and such tax shall be returned and paid in the same manner and subject to the same conditions as provided in that section: *Provided*, That in the case of interest described in subdivision (b) of that section the deduction and withholding shall be at the rate of 2 per centum.

## Credit for taxes paid.

## CREDIT FOR TAXES IN CASE OF CORPORATIONS.

Domestic corporations.  
Paid to foreign country, etc.  
Vol. 40, p. 1080, amended.

*Provided*.  
Limitation.

Net income of insurance companies.  
*Post*, p. 261.

Redetermination if tax paid differs from credit claimed, etc.

Tax accrued but not paid.

Bond required before allowance.

Evidence of foreign income required.

On return of domestic corporation for fiscal year ending in 1921.

SEC. 238. (a) That in the case of a domestic corporation the tax imposed by this title, plus the war-profits and excess-profits taxes, if any, shall be credited with the amount of any income, war-profits, and excess-profits taxes paid during the same taxable year to any foreign country, or to any possession of the United States: *Provided*, That the amount of credit taken under this subdivision shall in no case exceed the same proportion of the taxes, against which such credit is taken, which the taxpayer's net income (computed without deduction for any income, war-profits, and excess-profits taxes imposed by any foreign country or possession of the United States) from sources without the United States bears to its entire net income (computed without such deduction) for the same taxable year. In the case of domestic insurance companies subject to the tax imposed by section 243 or 246, the term "net income", as used in this subdivision means net income as defined in sections 245 and 246, respectively.

(b) If accrued taxes when paid differ from the amounts claimed as credits by the corporation, or if any tax paid is refunded in whole or in part, the corporation shall at once notify the Commissioner, who shall redetermine the amount of the income, war-profits and excess-profits taxes for the year or years affected, and the amount of taxes due upon such redetermination, if any, shall be paid by the corporation upon notice and demand by the collector, or the amount of taxes overpaid, if any, shall be credited or refunded to the corporation in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the Commissioner as a condition precedent to the allowance of this credit may require the corporation to give a bond with sureties satisfactory to and to be approved by him in such penal sum as he may require, conditioned for the payment by the taxpayer of any amount of taxes found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the Commissioner may require.

(c) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the Commissioner showing the amount of income derived from sources without the United States, and all other information necessary for the verification and computation of such credit.

(d) If a domestic corporation makes a return for a fiscal year beginning in 1920 and ending in 1921, the credit for the entire fiscal year shall, notwithstanding any provision of this Act, be determined

under the provisions of this section; and the Commissioner is authorized to disallow, in whole or in part, any such credit which he finds has already been taken by the taxpayer.

(e) For the purposes of this section a domestic corporation which owns a majority of the voting stock of a foreign corporation from which it receives dividends (not deductible under section 234) in any taxable year shall be deemed to have paid the same proportion of any income, war-profits, or excess-profits taxes paid by such foreign corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of such foreign corporation from which such dividends were paid, which the amount of such dividends bears to the amount of such accumulated profits: *Provided*, That the credit allowed to any domestic corporation under this subdivision shall in no case exceed the same proportion of the taxes against which it is credited, which the amount of such dividends bears to the amount of the entire net income of the domestic corporation in which such dividends are included. The term "accumulated profits" when used in this subdivision in reference to a foreign corporation, means the amount of its gains, profits, or income in excess of the income, war-profits, and excess-profits taxes imposed upon or with respect to such profits or income; and the Commissioner with the approval of the Secretary shall have full power to determine from the accumulated profits of what year or years such dividends were paid; treating dividends paid in the first sixty days of any year as having been paid from the accumulated profits of the preceding year or years (unless to his satisfaction shown otherwise), and in other respects treating dividends as having been paid from the most recently accumulated gains, profits, or earnings. In the case of a foreign corporation, the income, war-profits, and excess-profits taxes of which are determined on the basis of an accounting period of less than one year, the word "year" as used in this subdivision shall be construed to mean such accounting period.

(f) For the purposes of this section a corporation entitled to the benefits of section 262 shall be treated as a foreign corporation.

#### CORPORATION RETURNS.

SEC. 239. (a) That every corporation subject to taxation under this title and every personal service corporation shall make a return, stating specifically the items of its gross income and the deductions and credits allowed by this title. The return shall be sworn to by the president, vice president, or other principal officer and by the treasurer or assistant treasurer. If any foreign corporation has no office or place of business in the United States but has an agent in the United States, the return shall be made by the agent. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns made by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control.

(b) Returns made under this section shall be subject to the provisions of sections 226 and 228. When return is made under section 226 the credit provided in subdivision (b) of section 236 shall be reduced to an amount which bears the same ratio to the full credit therein provided as the number of months in the period for which such return is made bears to twelve months.

#### INCOME TAX.

Domestic corporation controlling foreign.  
Proportion of foreign tax deemed to have been paid by, on dividends received.

Proviso.  
Limitation on credit allowed.

Meaning of "accumulated profits."

Determination by Commissioner.

Accounting period of foreign corporations.

Corporations with business in possessions of United States.

#### Returns.

Specific requirements.

By agent of foreign corporation without American office.  
By receivers, trustees, etc.

#### Collection.

Accounting.  
Reduction for part of a year.

INCOME TAX.  
Detailed statement  
to accompany returns.

(c) There shall be included in the return or appended thereto a statement of such facts as will enable the Commissioner to determine the portion of the earnings or profits of the corporation (including gains, profits and income not taxed) accumulated during the taxable year for which the return is made, which have been distributed or ordered to be distributed, respectively, to its stockholders or members during such year.

Consolidated re-  
turns.

#### CONSOLIDATED RETURNS OF CORPORATIONS.

Affiliated corpora-  
tions may make sepa-  
rate or consolidated re-  
turns.

SEC. 240. (a) That corporations which are affiliated within the meaning of this section may, for any taxable year beginning on or after January 1, 1922, make separate returns or, under regulations prescribed by the Commissioner with the approval of the Secretary, make a consolidated return of net income for the purpose of this title, in which case the taxes thereunder shall be computed and determined upon the basis of such return. If return is made on either of such bases, all returns thereafter made shall be upon the same basis unless permission to change the basis is granted by the Commissioner.

On chosen basis  
thereafter.

Computation of pro-  
portionate assess-  
ments.

(b) In any case in which a tax is assessed upon the basis of a consolidated return, the total tax shall be computed in the first instance as a unit and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income properly assignable to each. There shall be allowed in computing the income tax only one specific credit computed as provided in subdivision (b) of section 236.

One specific credit.

*Ante*, p. 257.

Affiliated corpora-  
tions described.

(c) For the purpose of this section two or more domestic corporations shall be deemed to be affiliated (1) if one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or (2) if substantially all the stock of two or more corporations is owned or controlled by the same interests.

Corporations in  
United States posses-  
sions deemed foreign.  
*Post*, p. 271.  
*Proviso.*  
Consolidation of ac-  
counts of business con-  
trolled by same inter-  
ests.

(d) For the purposes of this section a corporation entitled to the benefits of section 262 shall be treated as a foreign corporation: *Provided*, That in any case of two or more related trades or businesses (whether unincorporated or incorporated and whether organized in the United States or not) owned or controlled directly or indirectly by the same interests, the Commissioner may consolidate the accounts of such related trades and businesses, in any proper case, for the purpose of making an accurate distribution or apportionment of gains, profits, income, deductions, or capital between or among such related trades or businesses.

Returns for prior  
years.

(e) Corporations which are affiliated within the meaning of this section shall make consolidated returns for any taxable year beginning prior to January 1, 1922, in the same manner and subject to the same conditions as provided by the Revenue Act of 1918.

Returns.

#### TIME AND PLACE FOR FILING CORPORATE RETURNS.

Time for filing.  
*Ante*, p. 261.

SEC. 241. (a) That returns of corporations shall be made at the same time as is provided in subdivision (a) of section 227, except that in the case of foreign corporations not having any office or place of business in the United States returns shall be made at the same time as provided in section 227 in the case of a nonresident alien individual.

To collector of dis-  
trict, etc.

(b) Returns shall be made to the collector of the district in which is located the principal place of business or principal office or agency of the corporation, or, if it has no principal place of business or principal office or agency in the United States, then to the collector at Baltimore, Maryland.

## TAXES ON INSURANCE COMPANIES.

INCOME TAX.  
Insurance companies.  
Meaning of "life insurance company."

SEC. 242. That when used in this title the term "life insurance company" means an insurance company engaged in the business of issuing life insurance and annuity contracts (including contracts of combined life, health, and accident insurance), the reserve funds of which held for the fulfillment of such contracts comprise more than 50 per centum of its total reserve funds.

SEC. 243. That in lieu of the taxes imposed by sections 230 and 1000 and by Title III, there shall be levied, collected, and paid for the calendar year 1921 and for each taxable year thereafter upon the net income of every life insurance company a tax as follows:

Tax on net income of life insurance companies.  
Act, p. 262.  
Post, p. 264.  
Post, p. 272.  
Domestic.

(1) In the case of a domestic life insurance company, the same percentage of its net income as is imposed upon other corporations by section 230;

(2) In the case of a foreign life insurance company, the same percentage of its net income from sources within the United States as is imposed upon the net income of other corporations by section 230.

Foreign, from United States sources.

SEC. 244. (a) That in the case of a life insurance company the term "gross income" means the gross amount of income received during the taxable year from interest, dividends, and rents.

Sources of gross income.

(b) The term "reserve funds required by law" includes, in the case of assessment insurance, sums actually deposited by any company or association with State or Territorial officers pursuant to law as guaranty or reserve funds, and any funds maintained under the charter or articles of incorporation of the company or association exclusively for the payment of claims arising under certificates of membership or policies issued upon the assessment plan and not subject to any other use.

"Reserve funds required by law."  
Application to assessment insurance.

SEC. 245. (a) That in the case of a life insurance company the term "net income" means the gross income less—

Net income.

(1) The amount of interest received during the taxable year which under paragraph (4) of subdivision (b) of section 213 is exempt from taxation under this title;

Deductions constituting.  
Exempt interest.

(2) An amount equal to the excess, if any, over the deduction specified in paragraph (1) of this subdivision, of 4 per centum of the mean of the reserve funds required by law and held at the beginning and end of the taxable year, plus (in case of life insurance companies issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan, continuing for life and not subject to cancellation) 4 per centum of the mean of such reserve funds (not required by law) held at the beginning and end of the taxable year, as the Commissioner finds to be necessary for the protection of the holders of such policies only;

Reserve funds for weekly payment assessments.

(3) The amount received as dividends (A) from a domestic corporation other than a corporation entitled to the benefits of section 262, or (B) from any foreign corporation when it is shown to the satisfaction of the Commissioner that more than 50 per centum of the gross income of such foreign corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the foreign corporation has been in existence) was derived from sources within the United States as determined under section 217;

Dividends from domestic corporations.

Foreign corporations from United States sources.

Act, p. 243.

(4) An amount equal to 2 per centum of any sums held at the end of the taxable year as a reserve for dividends (other than dividends payable during the year following the taxable year) the payment of which is deferred for a period of not less than five years from the date of the policy contract;

Reserve for deferred dividends.



INCOME TAX.  
Investment ex-  
penses.  
Proviso.  
Limitation.

(5) Investment expenses paid during the taxable year: *Provided*, That if any general expenses are in part assigned to or included in the investment expenses, the total deduction under this paragraph shall not exceed one-fourth of 1 per centum of the book value of the mean of the invested assets held at the beginning and end of the taxable year;

Real estate taxes,  
etc.

(6) Taxes and other expenses paid during the taxable year exclusively upon or with respect to the real estate owned by the company, not including taxes assessed against local benefits of a kind tending to increase the value of the property assessed, and not including any amount paid out for new buildings, or for permanent improvements or betterments made to increase the value of any property. The deduction allowed by this paragraph shall be allowed in the case of taxes imposed upon a shareholder or member of a company upon his interest as shareholder or member, which are paid by the company without reimbursement from the shareholder or member, but in such cases no deduction shall be allowed the shareholder or member for the amount of such taxes;

Taxes paid on inter-  
ests of shareholder.

Exhaustion etc., of  
property.

(7) A reasonable allowance for the exhaustion, wear and tear of property, including a reasonable allowance for obsolescence. In the case of property acquired before March 1, 1913, this deduction shall be computed upon the basis of its fair market price or value as of March 1, 1913;

Interest on debts.  
Exception.

(8) All interest paid or accrued within the taxable year on its indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly exempt from taxation under this title;

Specific credit of  
\$2,000, if income \$25,000  
or less, etc.

(9) In the case of a domestic life insurance company, the net income of which (computed without the benefit of this paragraph) is \$25,000 or less, the sum of \$2,000; but if the net income is more than \$25,000 the tax imposed by section 243 shall not exceed the tax which would be payable if the \$2,000 credit were allowed, plus the amount of the net income in excess of \$25,000.

Limitation of real  
estate deductions.

(b) No deduction shall be made under paragraphs (6) and (7) of subdivision (a) on account of any real estate owned and occupied in whole or in part by a life insurance company unless there is included in the return of gross income the rental value of the space so occupied. Such rental value shall be not less than a sum which in addition to any rents received from other tenants shall provide a net income (after deducting taxes, depreciation, and all other expenses) at the rate of 4 per centum per annum of the book value at the end of the taxable year of the real estate so owned or occupied.

Foreign life insur-  
ance companies.  
Determination of  
United States sources  
of income.

(c) In the case of a foreign life insurance company the amount of its net income for any taxable year from sources within the United States shall be the same proportion of its net income for the taxable year from sources within and without the United States, which the reserve funds required by law and held by it at the end of the taxable year upon business transacted within the United States is of the reserve funds held by it at the end of the taxable year upon all business transacted.

Insurance companies  
other than life or mu-  
tual.  
Tax levied.

SEC. 246. (a) That, in lieu of the taxes imposed by sections 230 and 1000, there shall be levied, collected and paid for the calendar year 1922, and for each taxable year thereafter, upon the net income of every insurance company (other than a life or mutual insurance company) a tax as follows:

Domestic companies.

(1) In the case of such a domestic insurance company the same percentage of its net income as is imposed upon other corporations by section 230;

(2) In the case of such a foreign insurance company the same percentage of its net income from sources within the United States as is imposed upon the net income of other corporations by section 230.

(b) In the case of an insurance company subject to the tax imposed by this section—

(1) The term "gross income" means the combined gross amount, earned during the taxable year, from investment income and from underwriting income as provided in this subdivision, computed on the basis of the underwriting and investment exhibit of the annual statement approved by the National Convention of Insurance Commissioners;

(2) The term "net income" means the gross income as defined in paragraph (1) of this subdivision less the deductions allowed by section 247;

(3) The term "investment income" means the gross amount of income earned during the taxable year from interest, dividends and rents, computed as follows:

To all interest, dividends and rents received during the taxable year, add interest, dividends and rents due and accrued at the end of the taxable year, and deduct all interest, dividends and rents due and accrued at the end of the preceding taxable year;

(4) The term "underwriting income" means the premiums earned on insurance contracts during the taxable year less losses incurred and expenses incurred;

(5) The term "premiums earned on insurance contracts during the taxable year" means an amount computed as follows:

From the amount of gross premiums written on insurance contracts during the taxable year, deduct return premiums and premiums paid for reinsurance. To the result so obtained add unearned premiums on outstanding business at the end of the preceding taxable year and deduct unearned premiums on outstanding business at the end of the taxable year;

(6) The term "losses incurred" means losses incurred during the taxable year on insurance contracts, computed as follows:

To losses paid during the taxable year, add salvage and reinsurance recoverable outstanding at the end of the preceding taxable year, and deduct salvage and reinsurance recoverable outstanding at the end of the taxable year. To the result so obtained add all unpaid losses outstanding at the end of the taxable year and deduct unpaid losses outstanding at the end of the preceding taxable year;

(7) The term "expenses incurred" means all expenses shown on the annual statement approved by the National Convention of Insurance Commissioners, and shall be computed as follows:

To all expenses paid during the taxable year add expenses unpaid at the end of the taxable year and deduct expenses unpaid at the end of the preceding taxable year. For the purpose of computing the net income subject to the tax imposed by this section there shall be deducted from expenses incurred as defined in this paragraph all expenses incurred which are not allowed as deductions by section 247.

SEC. 247. (a) That in computing the net income of an insurance company subject to the tax imposed by section 246 there shall be allowed as deductions:

(1) All ordinary and necessary expenses incurred, as provided in paragraph (1) of subdivision (a) of section 234;

(2) All interest as provided in paragraph (2) of subdivision (a) of section 234;

(3) Taxes as provided in paragraph (3) of subdivision (a) of section 234;

(4) Losses incurred;

INCOME TAX.  
Foreign companies.

Meaning of terms.

"Gross income."

"Net income."

"Investment income."

Sources of.

"Underwriting income."

Premiums earned on contracts.

Computation of.

"Losses incurred."

Computation of.

"Expenses incurred."

Computation of.

Net income.  
Deductions allowed.

Ordinary expenses.

Interest.

Taxes.

Losses.

**INCOME TAX.**  
 Bad debts.  
 Dividends from corporations.  
 Exempt interest.  
 Exhaustion, etc., of property.  
 Specific \$2,000, if income less than \$25,000, etc.  
 Foreign corporations.  
 Deductions allowed. *See, p. 254.*  
 Duplicating items forbidden.  
 Administrative provisions.

Payment of taxes.

In four installments except at source. *See, pp. 248, 258.*  
 Periods.

Extension of first payment.

Interest added if not paid when due.

Whole amount on default.

Optional single payment on filing return.

Examination, etc., by Commissioner.

Credit, etc., of excess.

(5) Bad debts in the nature of agency balances and bills receivable ascertained to be worthless and charged off within the taxable year;

(6) The amount received as dividends from corporations as provided in paragraph (6) of subdivision (a) of section 234;

(7) The amount of interest earned during the taxable year which under paragraph (4) of subdivision (b) of section 213 is exempt from taxation under this title, and the amount of interest allowed as a credit under subdivision (a) of section 236;

(8) A reasonable allowance, for the exhaustion, wear and tear of property, as provided in paragraph (7) of subdivision (a) of section 234;

(9) In the case of such a domestic insurance company, the net income of which (computed without the benefit of this paragraph) is \$25,000 or less, the sum of \$2,000; but if the net income is more than \$25,000 the tax imposed by section 246 shall not exceed the tax which would be payable if the \$2,000 credit were allowed, plus the amount of the net income in excess of \$25,000.

(b) In the case of a foreign corporation the deductions allowed in this section shall be allowed to the extent provided in subdivision (b) of section 234.

(c) Nothing in this section or in section 246 shall be construed to permit the same item to be twice deducted.

#### PART IV.—ADMINISTRATIVE PROVISIONS.

##### PAYMENT OF TAXES.

SEC. 250. (a) That except as otherwise provided in this section and sections 221 and 237 the tax shall be paid in four installments, each consisting of one-fourth of the total amount of the tax. The first installment shall be paid at the time fixed by law for filing the return, and the second installment shall be paid on the fifteenth day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after the time fixed by law for filing the return. Where an extension of time for filing a return is granted the time for payment of the first installment shall be postponed until the date of the expiration of the period of the extension, but the time for payment of the other installments shall not be postponed unless the Commissioner so provides in granting the extension. In any case in which the time for the payment of any installment is at the request of the taxpayer thus postponed, there shall be added as a part of such installment interest thereon at the rate of one-half of 1 per centum per month from the time it would have been due if no extension had been granted, until paid. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.

The tax may at the option of the taxpayer be paid in a single payment instead of installments, in which case the total amount shall be paid on or before the time fixed by law for filing the return, or, where an extension of time for filing the return has been granted, on or before the expiration of the period of such extension.

(b) As soon as practicable after the return is filed, the Commissioner shall examine it. If it then appears that the correct amount of the tax is greater or less than that shown in the return, the installments shall be recomputed. If the amount already paid exceeds that which should have been paid on the basis of the installments as recomputed, the excess so paid shall be credited against the subsequent installments; and if the amount already paid exceeds the correct amount of the tax, the excess shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

If the amount already paid is less than that which should have been paid, the difference, to the extent not covered by any credits due to the taxpayer under section 252 (hereinafter called "deficiency"), together with interest thereon at the rate of one-half of 1 per centum per month from the time the tax was due (or, if paid on the installment basis, on the deficiency of each installment from the time the installment was due), shall be paid upon notice and demand by the collector. If any part of the deficiency is due to negligence or intentional disregard of authorized rules and regulations with knowledge thereof, but without intent to defraud, there shall be added as part of the tax 5 per centum of the total amount of the deficiency in the tax, and interest in such a case shall be collected at the rate of 1 per centum per month on the amount of such deficiency in the tax from the time it was due (or, if paid on the installment basis, on the amount of the deficiency in each installment from the time the installment was due), which penalty and interest shall become due and payable upon notice and demand by the collector. If any part of the deficiency is due to fraud with intent to evade tax, then, in lieu of the penalty provided by section 3176 of the Revised Statutes, as amended, for false or fraudulent returns willfully made, but in addition to other penalties provided by law for false or fraudulent returns, there shall be added as part of the tax 50 per centum of the total amount of the deficiency in the tax. In such case the whole amount of the tax unpaid, including the penalty so added, shall become due and payable upon notice and demand by the collector.

INCOME TAX.  
Payment of deficiency.

Interest.

Additional tax for negligence, etc.

Penalty for fraudulent returns, etc.

Post, p. 312.

Full amount then payable.

Returns by revenue officer.  
Post, p. 312.

Assessment within four years after return filed.

For prior years.  
Vol. 36, p. 112.

Extension with consent of taxpayer.

Limit of time for bringing suits for collections, etc.

Proviso.  
Early assessment of income of decedent.

Determination, etc., of fraudulent returns.

Amortization of war contracts, etc.

(c) If the return is made pursuant to section 3176 of the Revised Statutes as amended, the amount of tax determined to be due under such return shall be paid upon notice and demand by the collector.

(d) The amount of income, excess-profits, or war-profits taxes due under any return made under this Act for the taxable year 1921 or succeeding taxable years shall be determined and assessed by the Commissioner within four years after the return was filed, and the amount of any such taxes due under any return made under this Act for prior taxable years or under prior income, excess-profits, or war-profits tax Acts; or under section 38 of the Act entitled "An Act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, shall be determined and assessed within five years after the return was filed, unless both the Commissioner and the taxpayer consent in writing to a later determination, assessment, and collection of the tax; and no suit or proceeding for the collection of any such taxes due under this Act or under prior income, excess-profits, or war-profits tax Acts, or of any taxes due under section 38 of such Act of August 5, 1909, shall be begun, after the expiration of five years after the date when such return was filed, but this shall not affect suits or proceedings begun at the time of the passage of this Act: *Provided*, That in the case of income received during the lifetime of a decedent, all taxes due thereon shall be determined and assessed by the Commissioner within one year after written request therefor by the executor, administrator, or other fiduciary representing the estate of such decedent: *Provided further*, That in the case of a false or fraudulent return with intent to evade tax, or of a failure to file a required return, the amount of tax due may be determined, assessed, and collected, and a suit or proceeding for the collection of such amount may be begun, at any time after it becomes due: *Provided further*, That in cases coming within the scope of paragraph (9) of subdivision (a) of section 214, or of paragraph (8) of subdivision (a) of section 234, or in cases of final settlement of losses and other deductions tentatively allowed by the Commissioner pending a determination of the exact amount deductible, the amount of tax or deficiency

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|---|---|
| INCOME TAX.<br>Notice to taxpayers.                   | in tax due may be determined, assessed, and collected at any time; but prior to the assessment thereof the taxpayer shall be notified and given a period of not less than thirty days in which to file an appeal and be heard as hereinafter provided in this subdivision.  |
| Notice to taxpayers of deficiency, etc., in return.   | If upon examination of a return made under the Revenue Act of 1916, the Revenue Act of 1917, the Revenue Act of 1918, or this Act, a tax or a deficiency in tax is discovered, the taxpayer shall be notified thereof and given a period of not less than thirty days after such notice is sent by registered mail in which to file an appeal and show cause or reason why the tax or deficiency should not be paid. Opportunity for hearing shall be granted and a final decision thereon shall be made as quickly as practicable. Any tax or deficiency in tax then determined to be due shall be assessed and paid, together with the penalty and interest, if any, applicable thereto, within ten days after notice and demand by the collector as hereinafter provided, and in such cases no claim in abatement of the amount so assessed shall be entertained: <i>Provided</i> , That in cases where the Commissioner believes that the collection of the amount due will be jeopardized by such delay he may make the assessment without giving such notice or awaiting the conclusion of such hearing.  |
| Prompt hearing.                                       |   |
| Assessment and payment after decision.                |   |
| <i>Proviso.</i><br>Assessment without notice.         |   |
| Additional tax if unpaid when due.                    | (e) If any tax remains unpaid after the date when it is due, and for ten days after notice and demand by the collector, then, except in the case of estates of insane, deceased, or insolvent persons, there shall be added as part of the tax the sum of 5 per centum on the amount due but unpaid, plus interest at the rate of 1 per centum per month upon such amount from the time it became due: <i>Provided</i> , That as to any such amount which is the subject of a bona fide claim for abatement filed within ten days after notice and demand by the collector, where the taxpayer has not had the benefit of the provisions of subdivision (d), such sum of 5 per centum shall not be added and the interest from the time the amount was due until the claim is decided shall be at the rate of one-half of 1 per centum per month on that part of the claim rejected.  |
| <i>Proviso.</i><br>Reduction on claims for abatement. |   |
| Notice inferred for first installment.                | In the case of the first installment provided for in subdivision (a) the instructions printed on the return shall be sufficient notice of the date when the tax is due and sufficient demand, and the taxpayer's computation of the tax on the return shall be sufficient notice of the amount due. In the case of each subsequent installment the collector may, within thirty days and not later than ten days before the installment becomes due, mail to the taxpayer notice of the amount of the installment and the date on which it is due for payment. Such notice of the collector shall be sufficient notice and sufficient demand under this section.  |
| Mailed for subsequent.                                |   |
| Extension allowed to prevent undue hardship.          | (f) In the case of any deficiency (except where the deficiency is due to negligence or to fraud with intent to evade tax) where it is shown to the satisfaction of the Commissioner that the payment of such deficiency would result in undue hardship to the taxpayer, the Commissioner may, with the approval of the Secretary, extend the time for the payment of such deficiency or any part thereof for such period not in excess of eighteen months from the passage of this Act as the Commissioner may determine. In such case the Commissioner may require the taxpayer to furnish a bond with sufficient sureties conditioned upon the payment of the deficiency in accordance with the terms of the extension granted. There shall be added in lieu of other interest provided by law, as a part of such deficiency, interest thereon at the rate of two-thirds of 1 per centum per month from the time such extension is granted; except where such other interest provided by law is in excess of interest at the rate of two-thirds of 1 per centum per month. If the deficiency or any part thereof is not paid in accordance with the terms of the extension granted, there |
| Bond required.  |   |
| Interest to be added.                                 |   |
| Additional penalty for nonpayment.                    |   |

shall be added as part of the deficiency, in lieu of other interest and penalties provided by law, the sum of 5 per centum of the deficiency and interest on the deficiency at the rate of 1 per centum per month from the time it becomes payable in accordance with the terms of such extension.

**INCOME TAX.**

Immediate payment if acts of taxpayer prejudice collection, etc.

Notice to be given.

Finding of Commissioner presumption of intent.

Bond accepted if not in default.

Condition of acceptance.

Suspension of enforcement proceedings.

Waiving for citizens about to depart.

Certificate required of alien.

Additional tax for violations by taxpayer.

Applicable to previous Acts.

(g) If the Commissioner finds that a taxpayer designs quickly to depart from the United States or to remove his property therefrom, or to conceal himself or his property therein, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceedings be brought without delay, the Commissioner shall declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year or so much of said tax as is unpaid, whether or not the time otherwise allowed by law for filing return and paying the tax has expired; and such taxes shall thereupon become immediately due and payable. In any action or suit brought to enforce payment of taxes made due and payable by virtue of the provisions of this subdivision the finding of the Commissioner, made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design. A taxpayer who is not in default in making any return or paying income, war-profits, or excess-profits tax under any Act of Congress may furnish to the United States, under regulations to be prescribed by the Commissioner with the approval of the Secretary, security approved by the Commissioner that he will duly make the return next thereafter required to be filed and pay the tax next thereafter required to be paid. The Commissioner may approve and accept in like manner security for return and payment of taxes made due and payable by virtue of the provisions of this subdivision, provided the taxpayer has paid in full all other income, war-profits, or excess-profits taxes due from him under any Act of Congress. If security is approved and accepted pursuant to the provisions of this subdivision and such further or other security with respect to the tax or taxes covered thereby is given as the Commissioner shall from time to time find necessary and require, payment of such taxes shall not be enforced by any proceedings under the provisions of this subdivision prior to the expiration of the time otherwise allowed for paying such respective taxes. In the case of a citizen of the United States about to depart from the United States the Commissioner may, at his discretion, waive any or all of the requirements placed on the taxpayer by this subdivision. No alien shall depart from the United States unless he first secures from the collector or agent in charge a certificate that he has complied with all the obligations imposed upon him by the income, war-profits, and excess-profits tax laws. If a taxpayer violates or attempts to violate this subdivision there shall, in addition to all other penalties, be added as part of the tax 25 per centum of the total amount of the tax or deficiency in the tax, together with interest at the rate of 1 per centum per month from the time the tax became due.

(h) The provisions of subdivisions (e), (f) and (g) of this section shall apply to the assessment and collection of taxes which have accrued or may accrue under the Revenue Act of 1917, the Revenue Act of 1918 or this Act.

**RECEIPTS FOR TAXES.**

Receipts for taxes.

SEC. 251. That every collector to whom any payment of any tax is made under the provisions of this title shall upon request give to

Collector to give, on request.

## INCOME TAX.

To debtor for separate creditors.

Evidence of tax paid.

Surrender to creditor as payment on debt.

## Refunds.

Credits for excess payments under this and prior Acts.  
Vol. 38, p. 112.  
Vol. 38, p. 106.

Vol. 39, pp. 758, 1004.

Vol. 40, pp. 300, 1057.

R. S., sec. 3228, p. 630.

Refund of balance.  
*Proviso.*  
Time limit for.

Allowance without filing claim, if invested capital decreased.

Prior claims not barred.

Vol. 39, p. 772.

Vol. 40, p. 1085.

## Penalties.

For failing to pay tax, make returns, etc.

Willful evasions, etc. a misdemeanor.

the person making such payment a full written or printed receipt, stating the amount paid and the particular account for which such payment was made; and whenever any debtor pays taxes on account of payments made or to be made by him to separate creditors the collector shall, if requested by such debtor, give a separate receipt for the tax paid on account of each creditor in such form that the debtor can conveniently produce such receipts separately to his several creditors in satisfaction of their respective demands up to the amounts stated in the receipts; and such receipt shall be sufficient evidence in favor of such debtor to justify him in withholding from his next payment to his creditor the amount therein stated; but the creditor may, upon giving to his debtor a full written receipt acknowledging the payment to him of any sum actually paid and accepting the amount of tax paid as aforesaid (specifying the same) as a further satisfaction of the debt to that amount, require the surrender to him of such collector's receipt.

## REFUNDS.

SEC. 252. That if, upon examination of any return of income made pursuant to this Act, the Act of August 5, 1909, entitled "An Act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," the Act of October 3, 1913, entitled "An Act to reduce tariff duties and to provide revenue for the Government, and for other purposes," the Revenue Act of 1916, as amended, the Revenue Act of 1917, or the Revenue Act of 1918, it appears that an amount of income, war-profits or excess-profits tax has been paid in excess of that properly due, then, notwithstanding the provisions of section 3228 of the Revised Statutes, the amount of the excess shall be credited against any income, war-profits or excess-profits taxes, or installment thereof, then due from the taxpayer under any other return, and any balance of such excess shall be immediately refunded to the taxpayer: *Provided*, That no such credit or refund shall be allowed or made after five years from the date when the return was due, unless before the expiration of such five years a claim therefor is filed by the taxpayer: *Provided further*, That if upon examination of any return of income made pursuant to the Revenue Act of 1917, the Revenue Act of 1918, or this Act; the invested capital of a taxpayer is decreased by the Commissioner, and such decrease is due to the fact that the taxpayer failed to take adequate deductions in previous years, with the result that an amount of income tax in excess of that properly due was paid in any previous year or years, then, notwithstanding any other provision of law and regardless of the expiration of such five-year period, the amount of such excess shall, without the filing of any claim therefor, be credited or refunded as provided in this section: *And provided further*, That nothing in this section shall be construed to bar from allowance claims for refund filed prior to the passage of the Revenue Act of 1918 under subdivision (a) of section 14 of the Revenue Act of 1916, or filed prior to the passage of this Act under section 252 of the Revenue Act of 1918.

## PENALTIES.

SEC. 253. That any individual, corporation, or partnership required under this title to pay or collect any tax, to make a return or to supply information, who fails to pay or collect such tax, to make such return, or to supply such information at the time or times required under this title, shall be liable to a penalty of not more than \$1,000. Any individual, corporation, or partnership, or any officer or employee of any corporation or member or employee of a partnership, who willfully refuses to pay or collect such tax, to make such return,

or to supply such information at the time or times required under this title, or who willfully attempts in any manner to defeat or evade the tax imposed by this title, shall be guilty of a misdemeanor and shall be fined not more than \$10,000 or imprisoned for not more than one year, or both, together with the costs of prosecution.

INCOME TAX.

Punishment for.

## RETURNS OF PAYMENTS OF DIVIDENDS.

SEC. 254. That every corporation subject to the tax imposed by this title and every personal service corporation shall, when required by the Commissioner, render a correct return, duly verified under oath, of its payments of dividends, stating the name and address of each stockholder, the number of shares owned by him, and the amount of dividends paid to him.

Dividend payments.

Specific returns of,  
by corporations.

## RETURNS OF BROKERS.

SEC. 255. That every individual, corporation, or partnership doing business as a broker shall, when required by the Commissioner, render a correct return duly verified under oath, under such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe, showing the names of customers for whom such individual, corporation, or partnership has transacted any business, with such details as to the profits, losses, or other information which the Commissioner may require, as to each of such customers, as will enable the Commissioner to determine whether all income tax due on profits or gains of such customers has been paid.

Brokers.

Sworn returns of  
business transacted by.

Details.

## INFORMATION AT SOURCE.

Information at  
source.

SEC. 256. That all individuals, corporations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, and employers, making payment to another individual, corporation, or partnership, of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable gains, profits, and income (other than payments described in sections 254 and 255), of \$1,000 or more in any taxable year, or, in the case of such payments made by the United States, the officers or employees of the United States having information as to such payments and required to make returns in regard thereto by the regulations hereinafter provided for, shall render a true and accurate return to the Commissioner, under such regulations and in such form and manner and to such extent as may be prescribed by him with the approval of the Secretary, setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment.

Required from all  
persons making fixed  
payments to others of  
\$1,000 or more.Exceptions.  
*Supra.*By United States  
officers.

Such returns may be required, regardless of amounts, (1) in the case of payments of interest upon bonds, mortgages, deeds of trust, or other similar obligations of corporations, and (2) in the case of collections of items (not payable in the United States) of interest upon the bonds of foreign countries and interest upon the bonds of and dividends from foreign corporations by individuals, corporations, or partnerships, undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of exchange.

Interest on corpora-  
tion bonds, etc.Collections of foreign  
coupons, etc.

When necessary to make effective the provisions of this section the name and address of the recipient of income shall be furnished upon demand of the individual, corporation, or partnership paying the income.

Names and addresses  
on demand.

The provisions of this section shall apply to the calendar year 1921 and each calendar year thereafter, but shall not apply to the payment of interest on obligations of the United States.

To be made each  
year.



INCOME TAX.  
Publicity.

## RETURNS TO BE PUBLIC RECORDS.

Returns to be public records.  
Inspection restricted.Provision.  
Access to State of floors.

Stockholders, of corporation returns.

Punishment for unauthorized divulging.

List of income taxpayers to be prepared for each district.

SEC. 257. That returns upon which the tax has been determined by the Commissioner shall constitute public records; but they shall be open to inspection only upon order of the President and under rules and regulations prescribed by the Secretary and approved by the President: *Provided*, That the proper officers of any State imposing an income tax may, upon the request of the governor thereof, have access to the returns of any corporation, or to an abstract thereof showing the name and income of the corporation, at such times and in such manner as the Secretary may prescribe: *Provided further*, That all bona fide stockholders of record owning 1 per centum or more of the outstanding stock of any corporation shall, upon making request of the Commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries. Any stockholder who pursuant to the provisions of this section is allowed to examine the return of any corporation, and who makes known in any manner whatever not provided by law the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any such return, shall be guilty of a misdemeanor and be punished by a fine not exceeding \$1,000, or by imprisonment not exceeding one year, or both.

The Commissioner shall as soon as practicable in each year cause to be prepared and made available to public inspection in such manner as he may determine, in the office of the collector in each internal-revenue district and in such other places as he may determine, lists containing the names and the post-office addresses of all individuals making income-tax returns in such district.

## Statistics.

## PUBLICATION OF STATISTICS.

Annual publication of income tax laws, etc., directed.

SEC. 258. That the Commissioner, with the approval of the Secretary, shall prepare and publish annually statistics reasonably available with respect to the operation of the income, war-profits and excess-profits tax laws, including classifications of taxpayers and of income, the amounts allowed as deductions, exemptions, and credits, and any other facts deemed pertinent and valuable.

Collection of foreign items.

## COLLECTION OF FOREIGN ITEMS.

Licenses required for collecting foreign coupons, etc.

Punishment for unlicensed collections, etc.

SEC. 259. That all individuals, corporations, or partnerships undertaking as a matter of business or for profit the collection of foreign payments of interest or dividends by means of coupons, checks, or bills of exchange shall obtain a license from the Commissioner and shall be subject to such regulations enabling the Government to obtain the information required under this title as the Commissioner, with the approval of the Secretary, shall prescribe; and whoever knowingly undertakes to collect such payments without having obtained a license therefor, or without complying with such regulations, shall be guilty of a misdemeanor and shall be fined not more than \$5,000, or imprisoned for not more than one year, or both.

Citizens of United States possessions.

## CITIZENS OF POSSESSIONS OF THE UNITED STATES.

Not residents of United States, taxable only on income from United States sources.

SEC. 260. That any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States, shall be subject to taxation under this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources.

Nothing in this section shall be construed to alter or amend the provisions of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes," approved July 12, 1921, relating to the imposition of income taxes in the Virgin Islands of the United States.

INCOME TAX.  
Virgin Islands.  
Payment of tax in,  
not affected.  
Act, p. 123.

#### PORTO RICO AND PHILIPPINE ISLANDS.

Porto Rico and the  
Philippines.

SEC. 261. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid as provided by law prior to the passage of this Act.

Tax collections by  
insular officials.  
Vol. 33, p. 180; Vol.  
39, p. 776; Vol. 40, p.  
1087.  
Authority of insular  
legislatures.

The Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income tax laws in force in Porto Rico or the Philippine Islands, respectively.

#### INCOME FROM SOURCES WITHIN THE POSSESSIONS OF THE UNITED STATES.

Income from United  
States possessions.

SEC. 262. (a) That in the case of citizens of the United States or domestic corporations, satisfying the following conditions, gross income means only gross income from sources within the United States—

Gross income of citi-  
zens or domestic cor-  
porations deemed from  
United States sources.

(1) If 80 per centum or more of the gross income of such citizen or domestic corporation (computed without the benefit of this section) for the three-year period immediately preceding the close of the taxable year (or for such part of such period immediately preceding the close of such taxable year as may be applicable) was derived from sources within a possession of the United States; and

If 80 per cent derived  
from the possessions.

(2) If, in the case of such corporation, 50 per centum or more of its gross income (computed without the benefit of this section) for such period or such part thereof was derived from the active conduct of a trade or business within a possession of the United States; or

Corporations deriv-  
ing 50 per cent from  
active business therein.

(3) If, in the case of such citizen, 50 per centum or more of his gross income (computed without the benefit of this section) for such period or such part thereof was derived from the active conduct of a trade or business within a possession of the United States either on his own account or as an employee or agent of another.

Citizens deriving 50  
per cent from active  
business therein.

(b) Notwithstanding the provisions of subdivision (a) there shall be included in gross income all amounts received by such citizens or corporations within the United States, whether derived from sources within or without the United States.

All amounts received  
in United States inclu-  
ded in gross income.

(c) As used in this section the term "possession of the United States" does not include the Virgin Islands of the United States.

Virgin Islands not  
included.

#### EFFECTIVE DATE OF TITLE.

Effective date.

SEC. 263. That this title shall take effect as of January 1, 1921.

January 1, 1921.

### TITLE III.—WAR-PROFITS AND EXCESS-PROFITS TAX FOR 1921.

WAR AND EXCESS  
PROFITS TAX.

#### PART I.—GENERAL DEFINITIONS.

General definitions.

SEC. 300. That when used in this title the terms "taxable year," "fiscal year," "personal service corporation," "paid or accrued," and "dividends" shall have the same meaning as provided for the purposes of income tax in sections 200 and 201.

Meaning of designa-  
ted terms used.

WAR AND EXCESS  
PROFITS TAX.  
Tax imposed.  
Additional tax on  
corporation net in-  
comes.  
Vol. 40, p. 1088,  
amended.

## PART II.—IMPOSITION OF TAX.

SEC. 301. (a) That in lieu of the tax imposed by Title III of the Revenue Act of 1918, but in addition to the other taxes imposed by this Act, there shall be levied, collected and paid for the calendar year 1921 upon the net income of every corporation (except corporations taxable under subdivision (b) of this section) a tax equal to the sum of the following:

### FIRST BRACKET.

Not in excess of 20  
per cent of invested  
capital.

20 per centum of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per centum of the invested capital;

### SECOND BRACKET.

In excess thereof.

40 per centum of the amount of the net income in excess of 20 per centum of the invested capital.

On income from  
Government contracts  
during the war.

(b) For the calendar year 1921 there shall be levied, collected, and paid upon the net income of every corporation which derives in such year a net income of more than \$10,000 from any Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive, a tax equal to the sum of the following:

Computation.  
Rates under Act of  
1918.

(1) Such a portion of a tax computed at the rates specified in subdivision (a) of section 301 of the Revenue Act of 1918, as the part of the net income attributable to such Government contract or contracts bears to the entire net income. In computing such tax the excess-profits credit and the war-profits credit which would be applicable to such calendar year under the Revenue Act of 1918 if it had been continued in force, shall be used;

Application of cred-  
its.

Under this Act not  
from Government con-  
tracts.

(2) Such a portion of a tax computed at the rates specified in subdivision (a) of this section as the part of the net income not attributable to such Government contract or contracts bears to the entire net income.

Determination of  
taxable income due to  
contracts.

For the purpose of determining the part of the net income attributable to such Government contract or contracts, the proper apportionment and allocation of the deductions with respect to gross income derived from such Government contract or contracts and from other sources, respectively, shall be determined under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

Deduction of excess  
profits credits.

(c) In any case where the full amount of the excess-profits credit is not allowed under the first bracket of subdivision (a), by reason of the fact that such credit is in excess of 20 per centum of the invested capital, the part not so allowed shall be deducted from the amount in the second bracket.

Limitations.

Under former Act.  
Vol. 40, p. 1089.

SEC. 302. That the tax imposed by subdivision (a) of section 301 shall in no case be more than 20 per centum of the amount of the net income in excess of \$3,000 and not in excess of \$20,000, plus 40 per centum of the amount of the net income in excess of \$20,000; and the limitations imposed by section 302 of the Revenue Act of 1918 (upon taxes computed under subdivision (c) of section 301 of that Act) are hereby made applicable to taxes computed under subdivision (b) of section 301 of this Act. Nothing in this section shall be construed in such manner as to increase the tax imposed by section 301 of this Act.

Separate computa-  
tion if part of income  
from personal service  
corporation.

SEC. 303. That if part of the net income of a corporation is derived (1) from a trade or business (or a branch of a trade or business) in which the employment of capital is necessary, and (2) a part (constituting not less than 30 per centum of its total net income) is de-

rived from a separate trade or business (or a distinctly separate branch of the trade or business) which if constituting the sole trade or business would bring it within the class of "personal service corporations," then (under regulations prescribed by the Commissioner with the approval of the Secretary) the tax upon the first part of such net income shall be separately computed (allowing in such computation only the same proportionate part of the credits authorized in section 312), and the tax upon the second part shall be the same percentage thereof as the tax so computed upon the first part is of such first part: *Provided*, That the tax upon such second part shall in no case be less than 20 per centum thereof, unless the tax upon the entire net income, if computed without benefit of this section, would constitute less than 20 per centum of such entire net income, in which event the tax shall be determined upon the entire net income, without reference to this section, as other taxes are determined under this title. The total tax computed under this section shall be subject to the limitations provided in section 302.

SEC. 304. (a) That the corporations enumerated in section 231 shall, to the extent that they are exempt from income tax under Title II, be exempt from taxation under this title.

(b) Any corporation whose net income for the taxable year is less than \$3,000 shall be exempt from taxation under this title.

(c) In the case of any corporation engaged in the mining of gold, the portion of the net income derived from the mining of gold shall be exempt from the tax imposed by this title or any tax imposed by Title II of the Revenue Act of 1917, and the tax on the remaining portion of the net income shall be the same proportion of a tax computed without the benefit of this subdivision which such remaining portion of the net income bears to the entire net income.

SEC. 305. That if a tax is computed under this title for a period of less than twelve months, the specific exemption of \$3,000, wherever referred to in this title, shall be reduced to an amount which is the same proportion of \$3,000 as the number of months in the period is of twelve months.

#### WAR AND EXCESS PROFITS TAX.

*Proviso.*  
Minimum tax.

Limitations.

Exempted corporations.  
*Note*, p. 253.

Exemption of \$3,000.

Income from gold mining exempt.

Tax on remaining portion.

Computation for less than 12 months.

#### PART III.—EXCESS-PROFITS CREDIT.

SEC. 312. That the excess-profits credit shall consist of a specific exemption of \$3,000 plus an amount equal to 8 per centum of the invested capital for the taxable year.

A foreign corporation or a corporation entitled to the benefits of section 262 shall not be entitled to the specific exemption of \$3,000.

Credits.

Specific exemption and 8 per cent of capital.

No specific exemption for foreign corporations, etc.

#### PART IV.—NET INCOME.

SEC. 320. That for the purpose of this title the net income of a corporation shall be ascertained and returned for the taxable year upon the same basis and in the same manner as provided for income tax purposes in Title II of this Act.

Net income.

On basis of corporation income tax.

#### PART V.—INVESTED CAPITAL.

SEC. 325. (a) That as used in this title—

The term "intangible property" means patents, copyrights, secret processes and formulae, good will, trade-marks, trade-brands, franchises, and other like property;

The term "tangible property" means stocks, bonds, notes, and other evidences of indebtedness, bills and accounts receivable, leaseholds, and other property other than intangible property;

Invested capital.

Meaning of terms.

"Intangible property."

"Tangible property."

|   |  |
|---|--|
| WAR AND EXCESS PROFITS TAX.<br>"Borrowed capital."  | The term "borrowed capital" means money or other property borrowed, whether represented by bonds, notes, open accounts, or otherwise;  |
| "Inadmissible assets."  | The term "inadmissible assets" means stocks, bonds, and other obligations (other than obligations of the United States), the dividends or interest from which is not included in computing net income, but where the income derived from such assets consists in part of gain or profit derived from the sale or other disposition thereof, or where all or part of the interest derived from such assets is in effect included in the net income because of the limitation on the deduction of interest under paragraph (2) of subdivision (a) of section 234, a corresponding part of the capital invested in such assets shall not be deemed to be inadmissible assets;   |
| Sources excluded.   | The term "admissible assets" means all assets other than inadmissible assets, valued in accordance with the provisions of subdivision (a) of section 326 and section 331.  |
| Value of stock with no par value.   | (b) For the purposes of this title the par value of stock or shares shall, in the case of stock or shares issued at a nominal value or having no par value, be deemed to be the fair market value as of the date or dates of issue of such stock or shares.  |
| Invested capital construed.   | SEC. 326. (a) That as used in this title the term "invested capital" for any year means (except as provided in subdivision (b) and (c) of this section):   |
| Cash paid in.<br>Value of other tangible property.<br>Limitation.                                       | <p>(1) Actual cash bona fide paid in for stock or shares;</p> <p>(2) Actual cash value of tangible property, other than cash, bona fide paid in for stock or shares, at the time of such payment, but in no case to exceed the par value of the original stock or shares specifically issued therefor, unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the Commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus: <i>Provided</i>, That the Commissioner shall keep a record of all cases in which tangible property is included in invested capital at a value in excess of the stock or shares issued therefor, containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, the value of the tangible property at the time paid in, the par value of the stock or shares specifically issued therefor, and the amount included under this paragraph as paid-in surplus. The Commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257;</p> |
| <i>Proviso.</i><br>Record of cases where tangible property included in excess of stock issued therefor. | (3) Paid-in or earned surplus and undivided profits; not including surplus and undivided profits earned during the year;   |
| Copies, etc., to Congress.  | (4) Intangible property bona fide paid in for stock or shares prior to March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 25 per centum of the par value of the total stock or shares of the corporation outstanding on March 3, 1917, whichever is lowest;   |
| <i>Ante</i> , p. 270.<br>Surplus and undivided profits.   | (5) Intangible property bona fide paid in for stock or shares on or after March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 25 per centum of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year, whichever is lowest: <i>Provided</i> , That in no case shall the total amount included under paragraphs (4) and (5) exceed in the aggregate 25 per centum of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year; but  |
| Intangible property paid for stock before March 3, 1917.  |  |
| After March 3, 1917.  |  |
| <i>Proviso.</i><br>Maximum allowance.   |  |

(b) As used in this title the term "invested capital" does not include borrowed capital.

(c) There shall be deducted from invested capital as above defined a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year.

(d) The invested capital for any period shall be the average invested capital for such period, but in the case of a corporation making a return for a fractional part of a year, it shall be the same fractional part of such average invested capital.

SEC. 327. That in the following cases the tax shall be determined as provided in section 328:

(a) Where the Commissioner is unable to determine the invested capital as provided in section 326;

(b) In the case of a foreign corporation or of a corporation entitled to the benefits of section 262;

(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the Commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

(d) Where upon application by the corporation the Commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case (1) in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profit upon a normal invested capital, nor (2) in which 50 per centum or more of the gross income of the corporation for the taxable year (computed under section 233 of Title II) consists of gains, profits, commissions, or other income, derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

SEC. 328. (a) That in the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of \$3,000) for the taxable year, as the average tax of representative corporations engaged in a like or similar trade or business, bears to their average net income (in excess of the specific exemption of \$3,000) for such year. In the case of a foreign corporation or of a corporation entitled to the benefits of section 262 the tax shall be computed without deducting the specific exemption of \$3,000 either for the taxpayer or the representative corporations.

In computing the tax under this section the Commissioner shall compare the taxpayer only with representative corporations whose invested capital can be satisfactorily determined under section 326 and which are, as nearly as may be, similarly circumstanced with respect to gross income, net income, profits per unit of business transacted and capital employed, the amount and rate of war profits or excess profits, and all other relevant facts and circumstances.

(b) For the purposes of subdivision (a) the ratios between the average tax and the average net income of representative corporations shall be determined by the Commissioner in accordance with regulations prescribed by him with the approval of the Secretary.

WAR AND EXCESS  
PROFITS TAX.

Borrowed capital not  
included.

Percentage of inad-  
missible assets de-  
ducted.

Determination from  
average invested capi-  
tal.

Taxed as average  
similar business.

If invested capital  
not determined.

Foreign corporations,  
etc.

Where property paid  
for stock not separable.

Upon application to  
prevent hardship from  
abnormal conditions.

Exceptions.  
High earnings on  
normal capital.

Income from cost-  
plus Government con-  
tracts, etc.

Determination of tax  
by comparison with in-  
come of average simi-  
lar business.

Foreign corporations,  
etc.

Method of computa-  
tion.

Ratios to be deter-  
mined by regulations.

WAR AND EXCESS  
PROFITS TAX.  
Record of deter-  
mined cases to be  
kept.

Information to Con-  
gress.

*Ante*, p. 270

Reorganizations.

Valuation of assets  
transferred after March  
3, 1917, on.

*Proviso.*  
If previous owner  
not a corporation.  
Restriction.

Miscellaneous.

Tax for fiscal year  
ending in 1921.

Proportion com-  
puted.

Credit for payments  
under prior Act.

Refund of excess.

*Ante*, p. 268.

For fiscal year end-  
ing in 1922.

Returns required.

Payment of tax.

*Ante*, p. 260.  
Provisions applica-  
ble.

(c) The Commissioner shall keep a record of all cases in which the tax is determined in the manner prescribed in subdivision (a), containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, and the amount of invested capital as determined under such subdivision. The Commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257.

## PART VI.—REORGANIZATIONS.

SEC. 331. That in the case of the reorganization, consolidation, or change of ownership of a trade or business, or change of ownership of property, after March 3, 1917, if an interest or control in such trade or business or property of 50 per centum or more remains in the same persons, or any of them, then no asset transferred or received from the previous owner shall, for the purpose of determining invested capital, be allowed a greater value than would have been allowed under this title in computing the invested capital of such previous owner if such asset had not been so transferred or received: *Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment or development, but no addition to the original cost shall be made for any charge or expenditure deducted as expense or otherwise on or after March 1, 1913, in computing the net income of such previous owner for purposes of taxation.

## PART VII.—MISCELLANEOUS.

SEC. 335. (a) That if a corporation (other than a personal service corporation) makes return for a fiscal year beginning in 1920 and ending in 1921, the war-profits and excess-profits tax for the taxable year 1921 shall be the sum of: (1) the same proportion of a tax for the entire period computed under the Revenue Act of 1918, which the portion of such period falling within the calendar year 1920 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title, which the portion of such period falling within the calendar year 1921 is of the entire period. Any amount heretofore or hereafter paid on account of the tax imposed for such taxable year by the Revenue Act of 1918 shall be credited towards the payment of the tax as above computed, and if the amount so paid exceeds the amount of such tax, the excess shall be credited or refunded to the corporation in accordance with the provisions of section 252 of this Act.

(b) If a corporation (other than a personal service corporation) makes a return for a fiscal year beginning in 1921 and ending in 1922, the war-profits and excess-profits tax for the portion of the year falling within the calendar year 1921 shall be an amount equivalent to the same proportion of a tax for the entire period computed under this title, which the portion of such period falling within the calendar year 1921 is of the entire period.

SEC. 336. That every corporation, not exempt under section 304, shall make a return for the purposes of this title. Such returns shall be made, and the taxes imposed by this title shall be paid, at the same times and places, in the same manner, and subject to the same conditions, as is provided in the case of returns and payment of income tax by corporations for the purposes of Title II, and all the provisions

of that title not inapplicable, including penalties, are hereby made applicable to the taxes imposed by this title.

SEC. 337. That in the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by this title attributable to such sale shall not exceed 20 per centum of the selling price of such property or interest.

WAR AND EXCESS  
PROFITS TAX.

Mines, oil wells, etc.  
Maximum tax on  
sales, etc., if discovered  
by taxpayer.

#### EFFECTIVE DATE OF TITLE.

Effective date.

SEC. 338. That this title shall take effect as of January 1, 1921.

January 1, 1921.

#### TITLE IV.—ESTATE TAX.

ESTATE TAX.

SEC. 400. That when used in this title—

Terms construed.

The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person in actual or constructive possession of any property of the decedent;

"Executor."  
Vol. 40, p. 1098, amend-  
ed.

The term "net estate" means the net estate as determined under the provisions of section 403;

"Net estate."

The term "month" means calendar month; and

"Month."

The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the Commissioner.

"Collector."

SEC. 401. That, in lieu of the tax imposed by Title IV of the Revenue Act of 1918, a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this Act, whether a resident or non-resident of the United States:

Tax levied on trans-  
fers of estates here-  
after.

Vol. 40, p. 1098.

Rates.

1 per centum of the amount of the net estate not in excess of \$50,000;

2 per centum of the amount by which the net estate exceeds \$50,000 and does not exceed \$150,000;

3 per centum of the amount by which the net estate exceeds \$150,000 and does not exceed \$250,000;

4 per centum of the amount by which the net estate exceeds \$250,000 and does not exceed \$450,000;

6 per centum of the amount by which the net estate exceeds \$450,000 and does not exceed \$750,000;

8 per centum of the amount by which the net estate exceeds \$750,000 and does not exceed \$1,000,000;

10 per centum of the amount by which the net estate exceeds \$1,000,000 and does not exceed \$1,500,000;

12 per centum of the amount by which the net estate exceeds \$1,500,000 and does not exceed \$2,000,000;

14 per centum of the amount by which the net estate exceeds \$2,000,000 and does not exceed \$3,000,000;

16 per centum of the amount by which the net estate exceeds \$3,000,000 and does not exceed \$4,000,000;

18 per centum of the amount by which the net estate exceeds \$4,000,000 and does not exceed \$5,000,000;

20 per centum of the amount by which the net estate exceeds \$5,000,000 and does not exceed \$8,000,000;



## ESTATE TAX.

22 per centum of the amount by which the net estate exceeds \$8,000,000 and does not exceed \$10,000,000; and

25 per centum of the amount by which the net estate exceeds \$10,000,000.

Not applicable if decedent in World War service, etc.  
Vol. 39, pp. 777, 1002.

Vol. 40, pp. 324, 1096.

The taxes imposed by this title or by Title II of the Revenue Act of 1916 (as amended by the Act entitled "An Act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917) or by Title IX of the Revenue Act of 1917, or by Title IV of the Revenue Act of 1918, shall not apply to the transfer of the net estate of any decedent who has died or may die from injuries received or disease contracted in line of duty while serving in the military or naval forces of the United States in the war against the German Government, or to the transfer of the net estate of any citizen of the United States who has died or may die from injuries received or disease contracted in line of duty while serving in the military or naval forces of any country while associated with the United States in the prosecution of such war, or prior to the entrance therein of the United States, and any tax collected upon such transfer shall be refunded to the estate of such decedent.

Refund if tax collected.

Gross estate.  
Property included.

SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

Subject to administration.

(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

Dower or curtesy interests.

(b) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, curtesy, or by virtue of a statute creating an estate in lieu of dower or curtesy;

Transfers in contemplation of death.

(c) To the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he has at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this Act), except in case of a bona fide sale for a fair consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within two years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;

Prior transfers within two years included.

Extent of joint interests.

(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have been received or acquired by the latter from the decedent for less than a fair consideration in money or money's worth: *Provided*, That where such property or any part thereof, or part of the consideration with which such property was acquired, is shown to have been at any time acquired by such other person from the decedent for less than a fair consideration in money or money's worth, there shall be excepted only such part of the value of such property as is proportionate to the consideration furnished by such other person: *Provided further*, That where any property has been acquired by gift, bequest, devise, or inheritance, as a tenancy in the entirety by the decedent and spouse, or where so acquired by the decedent and any other person as joint tenants and their interests are not otherwise

Exception.

*Proviso.*  
If property acquired from decedent, etc.

If acquired by gift, etc.

specified or fixed by law, then to the extent of one-half of the value thereof;

(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over \$40,000 of the amount receivable by all other beneficiaries as insurance under policies taken out by the decedent upon his own life.

SEC. 403. That for the purpose of the tax the value of the net estate shall be determined—

(a) In the case of a resident, by deducting from the value of the gross estate—

(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages upon, or any indebtedness in respect to, property (except, in the case of a resident decedent, where such property is not situated in the United States), losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon income received after the death of the decedent, or any estate, succession, legacy, or inheritance taxes;

(2) An amount equal to the value of any property forming a part of the gross estate situated in the United States of any person who died within five years prior to the death of the decedent where such property can be identified as having been received by the decedent from such prior decedent by gift, bequest, devise, or inheritance, or which can be identified as having been acquired in exchange for property so received: *Provided*, That this deduction shall be allowed only where an estate tax under this or any prior Act of Congress was paid by or on behalf of the estate of such prior decedent, and only in the amount of the value placed by the Commissioner on such property in determining the value of the gross estate of such prior decedent, and only to the extent that the value of such property is included in the decedent's gross estate and not deducted under paragraphs (1) or (3) of subdivision (a) of this section. This deduction shall be made in case of the estates of all decedents who have died since September 8, 1916;

(3) The amount of all bequests, legacies, devises, or transfers, except bona fide sales for a fair consideration in money or money's worth, in contemplation of or intended to take effect in possession or enjoyment at or after the decedent's death, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes. This deduction shall be made in

## ESTATE TAX.

Passing under a general power of appointment.

Received on insurance policies.

Excess of beneficiaries.

Net value determined.

Of resident Deductions.

Funeral, administration, etc., expenses.

Taxes excepted.

Property received from prior decedent.

*Provided*. Restricted to property on which estate tax paid.

Limit.

Applicable to deaths since September 8, 1916.

Bequests, etc., to public, religious, charitable, etc., uses.

Applicable to deaths since December 31, 1917.

|   |   |
|---|---|
| ESTATE TAX.   | case of the estates of all decedents who have died since December 31, 1917; and   |
| Exemption of \$50,000.  | (4) An exemption of \$50,000;   |
| Of nonresidents.<br>Deductions from<br>estate in United States.                           | (b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—   |
| Proportion of funeral,<br>etc., expenses.   | (1) That proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per centum of the value of that part of his gross estate which at the time of his death is situated in the United States;  |
| Property in United<br>States received from<br>prior decedent.                             | (2) An amount equal to the value of any property forming a part of the gross estate situated in the United States of any person who died within five years prior to the death of the decedent where such property can be identified as having been received by the decedent from such prior decedent by gift, bequest, devise, or inheritance, or which can be identified as having been acquired in exchange for property so received: <i>Provided</i> , That this deduction shall be allowed only where an estate tax under this or any prior Act of Congress was paid by or on behalf of the estate of such prior decedent, and only in the amount of the value placed by the Commissioner on such property in determining the value of the gross estate of such prior decedent, and only to the extent that the value of such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States and not deducted under paragraphs (1) or (3) of subdivision (b) of this section. This deduction shall be made in case of the estates of all decedents who have died since September 8, 1916; and |
| <i> proviso:</i><br>Allowed only for<br>property on which es-<br>tate tax paid.<br>Limit. | (3) The amount of all bequests, legacies, devises, or transfers, except bona fide sales for a fair consideration, in money or money's worth, in contemplation of or intended to take effect in possession or enjoyment at or after the decedent's death, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any domestic corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes within the United States. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917.   |
| Applicable to deaths<br>since September 8,<br>1916.                                       | No deduction shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 404 the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.  |
| Bequests, etc., to do-<br>mestic, public, relig-<br>ious, charitable, etc.,<br>uses.      | For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (c) of section 402, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.  |
| Applicable to deaths<br>since December 31,<br>1917.                                       | The amount receivable as insurance upon the life of a nonresident decedent, and any moneys deposited with any person carrying on the banking business, by or for a nonresident decedent who was not engaged in business in the United States at the time of his death,  |
| No deduction unless<br>full return filed.   |   |
| Property included as<br>within the United<br>States.                                      |   |
| Insurance and bank<br>deposits, not deemed<br>property in the United<br>States.           |   |

shall not, for the purpose of this title, be deemed property within the United States.

Missionaries duly commissioned and serving under boards of foreign missions of the various religious denominations in the United States, dying while in the foreign missionary service of such boards, shall not, by reason merely of their intention to permanently remain in such foreign service, be deemed nonresidents of the United States, but shall be presumed to be residents of the State, the District of Columbia, or the Territories of Alaska or Hawaii wherein they respectively resided at the time of their commission and their departure for such foreign service.

In the case of any estate in respect to which the tax has been paid, if necessary to allow the benefit of the deduction under paragraphs (2) and (3) of subdivision (a) or (b) the tax shall be redetermined and any excess of tax paid shall be refunded to the executor.

SEC. 404. That the executor, within two months after the decedent's death, or within a like period after qualifying as such, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 403; (c) the value of the net estate of the decedent as defined in section 403; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

Return shall be made in all cases where the gross estate at the death of the decedent exceeds \$50,000, and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The Commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

SEC. 405. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 404, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the Commissioner shall assess the tax thereon.

SEC. 406. That the tax shall be due and payable one year after the decedent's death; but in any case where the Commissioner finds that payment of the tax within such period would impose undue hardship upon the estate, he may grant an extension or extensions of time for payment not to exceed three years from the due date.

The executor shall pay the tax to the collector or deputy collector, and to such portion of the tax, not paid within one year and six months after the decedent's death, interest at the rate of 6 per centum per annum from the expiration of one year after such death shall be added as part of the tax irrespective of any extension or extensions of time that may have been granted for the payment of the tax, or any portion thereof.

SEC. 407. That where the amount of tax shown upon a return made in good faith has been fully paid, or time for payment has been extended, as provided in section 406, beyond one year and six months

## ESTATE TAX.

Status of missionaries dying abroad.

Refund of tax paid gifts, etc.

Notice of administration to collector.

Returns to be filed.

Contents.

Returns to be made if estate exceeds \$50,000, or of nonresident.

Partial returns.

Assessment of tax.

Return and assessment if no administration.

Time of payment.

Extension permitted.

Interest if not paid when due.

Payment, etc., of additional amounts found due.

**ESTATE TAX.**

Interest for nonpayment.

Lien on entire estate for.

Duplicate receipts for payments.

Personal liability of executor discharged on payment of tax as determined by Commissioner.

*Proviso.*  
Gross estate liable if additional tax found due.

Collection of unpaid taxes.

Use of proceeds if property sold.

Reimbursement from estate, if tax paid by other than executor.

From life insurance policies.

after the decedent's death, and an additional amount of tax is, after the expiration of such period of one year and six months, found to be due, then such additional amount shall be paid upon notice and demand by the collector, and if it remains unpaid for one month after such notice and demand there shall be added as part of the tax interest on such additional amount at the rate of 10 per centum per annum from the expiration of such period until paid, and such additional tax and interest shall, until paid, be and remain a lien upon the entire gross estate.

The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

If the executor files a complete return and makes written application to the Commissioner for determination of the amount of the tax and discharge from personal liability therefor, the Commissioner, as soon as possible and in any event within one year after receipt of such application, shall notify the executor of the amount of the tax, and upon payment thereof the executor shall be discharged from personal liability for any additional tax thereafter found to be due, and shall be entitled to receive a receipt or writing showing such discharge: *Provided, however,* That such discharge shall not operate to release the gross estate from the lien of any additional tax that may thereafter be found to be due while the title to such gross estate remains in the heirs, devisees, or distributees thereof; but no part of such gross estate shall be subject to such lien or to any claim or demand for any such tax if the title thereto has passed to a bona fide purchaser for value.

SEC. 408. That if the tax herein imposed is not paid on or before the due date thereof the collector shall, upon instruction from the Commissioner, proceed to collect the tax under the provisions of general law, or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court, to be paid under its direction to the person entitled thereto.

If the tax or any part thereof is paid by, or collected out of that part of the estate passing to or in the possession of, any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undistributed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this title that so far as is practicable and unless otherwise directed by the will of the decedent the tax shall be paid out of the estate before its distribution. If any part of the gross estate consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds, in excess of \$40,000, of such policies bear to the net estate. If there is more than one such beneficiary the executor shall be entitled to recover from such beneficiaries in the same ratio.

SEC. 409. That unless the tax is sooner paid in full, it shall be a lien for ten years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien. If the Commissioner is satisfied that the tax liability of an estate has been fully discharged or provided for, he may, under regulations prescribed by him with the approval of the Secretary, issue his certificate, releasing any or all property of such estate from the lien herein imposed.

If (a) the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for a fair consideration in money or money's worth) or (b) if insurance passes under a contract executed by the decedent in favor of a specific beneficiary, and if in either case the tax in respect thereto is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax, and such property, to the extent of the decedent's interest therein at the time of such transfer, or to the extent of such beneficiary's interest under such contract of insurance, shall be subject to a like lien equal to the amount of such tax. Any part of such property sold by such transferee or trustee to a bona fide purchaser for a fair consideration in money or money's worth shall be divested of the lien and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair consideration in money or money's worth.

SEC. 410. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding \$5,000, or imprisonment not exceeding one year, or both.

Whoever fails to comply with any duty imposed upon him by section 404, or, having in his possession or control any record, file, or paper, containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request to the Commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding \$500, to be recovered, with costs of suit, in a civil action in the name of the United States.

SEC. 411. (a) That the term "resident" as used in this title includes a citizen of the United States with respect to whose property any probate or administration proceedings are had in the United States Court for China. Where no part of the gross estate of such decedent is situated in the United States at the time of his death, the total amount of tax due under this title shall be paid to or collected by the clerk of such court, but where any part of the gross estate of such decedent is situated in the United States at the time of his death, the tax due under this title shall be paid to or collected by the collector of the district in which is situated the part of the gross estate in the United States, or, if such part is situated in more than one district, then the collector of such district as may be designated by the Commissioner.

(b) For the purpose of this section the clerk of the United States Court for China shall be a collector for the territorial jurisdiction of such court, and taxes shall be collected by and paid to him in the same manner and subject to the same provisions of law, including

ESTATE TAX.  
Unpaid tax a lien on  
estate for ten years.  
Part excepted.

Release on payment.

Allowance on trans-  
fers, etc., in contempla-  
tion of death.

Life insurance.

Innocent purchaser  
for value protected.

Punishment for false  
statements.

Penalty for making  
no returns, concealing  
information, etc.

Administration pro-  
ceedings in United  
States court for China.

Tax payable to clerk  
of court if no estate in  
United States.

If any part in United  
States, to collector of  
district.

Clerk of court to act  
as collector, etc.

## ESTATE TAX.

Former authoriza-  
tion repealed.  
Vol. 41, p. 745, re-  
pealed.

penalties, as the taxes collected by and paid to a collector in the United States.

(c) The proviso in the Act entitled "An Act making appropriation for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921," approved June 4, 1920, which reads as follows: "*Provided*, That in probate and administration proceedings there shall be collected by said clerk, before entering the order of final distribution, to be paid into the Treasury of the United States, the same inheritance taxes from time to time collected under the laws enacted by the Congress of the United States from the estates of decedents residing within the territorial jurisdiction of the United States," is hereby repealed.

## TELEGRAPH AND TELEPHONE TAX.

## TITLE V.—TAX ON TELEGRAPH AND TELEPHONE MESSAGES.

Levied after Janu-  
ary 1, 1922.  
Vol. 40, p. 1101, amend-  
ed.

SEC. 500. That from and after January 1, 1922, there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 500 of the Revenue Act of 1918—

Telegraph and tele-  
phone messages.

(a) In the case of each telegraph, telephone, cable, or radio, dispatch, message, or conversation, which originates on or after such date within the United States, and for the transmission of which the charge is more than 14 cents and not more than 50 cents, a tax of 5 cents; and if the charge is more than 50 cents, a tax of 10 cents: *Provided*, That only one payment of such tax shall be required, notwithstanding the lines or stations of one or more persons are used for the transmission of such dispatch, message, or conversation; and

*Proviso.*  
Only one payment  
required.

Leased wire or spe-  
cial service.

(b) A tax equivalent to 10 per centum of the amount paid after such date to any telegraph or telephone company for any leased wire or talking circuit special service furnished after such date. This subdivision shall not apply to the amount paid for so much of such service as is utilized (1) in the collection and dissemination of news through the public press, or (2) in the conduct, by a common carrier or telegraph or telephone company, of its business as such;

News and company  
business excepted.

Public service ex-  
empt.

(c) No tax shall be imposed under this section upon any payment received for services rendered to the United States or to any State or Territory or the District of Columbia. The right to exemption under this subdivision shall be evidenced in such manner as the Commissioner, with the approval of the Secretary, may by regulation prescribe.

Refund of unused  
transportation tax.  
Vol. 40, p. 1102.

(d) Under regulations prescribed by the Commissioner with the approval of the Secretary, refund shall be made of the proportionate part of the tax collected under subdivision (c) or (d) of section 500 of the Revenue Act of 1918 on tickets or mileage books purchased and only partially used before January 1, 1922.

Payable by user.

SEC. 501. That the taxes imposed by section 500 shall be paid by the person paying for the services or facilities rendered.

Collection, returns,  
and payment by re-  
ceiver.

SEC. 502. (a) That each person receiving any payments referred to in section 500 shall collect the amount of the tax, if any, imposed by such section from the person making such payments, and shall make monthly returns under oath, in duplicate, and pay the taxes so collected to the collector of the district in which the principal office or place of business is located.

Payment of refunds  
from receipts.

(b) Any person making a refund of any payment upon which tax is collected under this section may repay therewith the amount of the tax collected on such payment; and the amount so repaid may be credited against amounts included in any subsequent monthly return.

Contents of returns.

(c) The returns required under this section shall contain such information, and be made at such times and in such manner, as the Commissioner, with the approval of the Secretary, may by regulation prescribe.

(d) The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per centum, together with interest at the rate of 1 per centum for each full month, from the time when the tax became due.

TELEGRAPH AND TELEPHONE TAX.  
Payment of tax.  
Penalty for nonpayment.

## TITLE VI.—TAX ON BEVERAGES AND CONSTITUENT PARTS THEREOF.

### BEVERAGES TAX.

SEC. 600. That subdivision (a) of section 600 of the Revenue Act of 1918 is amended by striking out the period at the end thereof and inserting a colon and the following: "Provided, That on all distilled spirits on which tax is paid at the nonbeverage rate of \$2.20 per proof gallon and which are diverted to beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage, there shall be levied and collected an additional tax of \$4.20 on each proof gallon, and a proportionate tax at a like rate on all fractional parts of such proof gallon, to be paid by the person responsible for such diversion."

Distilled spirits in bond.  
Vol. 40, p. 1105, amended.  
Additional tax on, if diverted from nonbeverage to beverage uses.

SEC. 601. That section 605 of the Revenue Act of 1918 is amended by adding at the end thereof the following: "The process of extraction of water from high-proof spirits for the production of absolute alcohol shall not be deemed to be rectification within the meaning of section 3244 of the Revised Statutes, and absolute alcohol shall not be subject to the tax imposed by this section, but the production of such absolute alcohol shall be under such regulations as the Commissioner, with the approval of the Secretary, may prescribe."

Rectified spirits.  
Vol. 40, p. 1106, amended.  
Absolute alcohol from high proof spirits not taxed as.

SEC. 602. That from and after January 1, 1922, there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by sections 628 and 630 of the Revenue Act of 1918—

Tax on soft drinks.  
Vol. 40, p. 1116, amended.

(a) Upon all beverages derived wholly or in part from cereals or substitutes therefor, containing less than one-half of 1 per centum of alcohol by volume, sold by the manufacturer, producer, or importer, a tax of 2 cents per gallon.

Cereal beverages sold by producer, etc.

(b) Upon all unfermented fruit juices, in natural or slightly concentrated form, or such fruit juices to which sugar has been added (as distinguished from finished or fountain sirups), intended for consumption as beverages with the addition of water or water and sugar, and upon all imitations of any such fruit juices, and upon all carbonated beverages, commonly known as soft drinks (except those described in subdivision (a)), manufactured, compounded, or mixed by the use of concentrate, essence, or extract, instead of a finished or fountain sirup, sold by the manufacturer, producer or importer, a tax of 2 cents per gallon.

Unfermented fruit juices.

(c) Upon all still drinks, containing less than one-half of 1 per centum of alcohol by volume, intended for consumption as beverages in the form in which sold (except natural or artificial mineral and table waters and imitations thereof, and pure apple cider), sold by the manufacturer, producer or importer, a tax of 2 cents per gallon.

Carbonated beverages.

(d) Upon all natural or artificial mineral waters or table waters, whether carbonated or not, and all imitations thereof, sold by the producer, bottler, or importer thereof, in bottles or other closed containers, at over 12½ cents per gallon, a tax of 2 cents per gallon.

Still drinks.

Bottled mineral or table waters.

(e) Upon all finished or fountain sirups of the kinds used in manufacturing, compounding, or mixing drinks commonly known as soft drinks, sold by the manufacturer, producer, or importer, a tax of 9 cents per gallon; except that in the case of any such sirups intended to be used in the manufacture of carbonated beverages sold in bottles or other closed containers the rate shall be 5 cents per gallon. Where any person conducting a soda fountain, ice cream parlor, or other

Finished or fountain sirups.

Used for bottled carbonated beverages.

If manufacturer conducts soda fountain, etc.



**BEVERAGES TAX.****Exception.****Carbonic acid gas for beverages.****Manufacturers, etc., to make monthly returns, payments, etc.****Payment without assessment.****Penalty for nonpayment.****Certificate of registry to be posted.****Penalty for failure.****TAX ON CIGARS AND TOBACCO.**

Payable on sales by manufacturer or importer.  
R. S., sec. 3394, p. 666, amended.  
Vol. 40, p. 1116.

**Rates.****Cigars.  
Small.****Based on retail price.**

similar place of business manufactures any sirups of the kinds described in this subdivision, there shall be levied, assessed, collected, and paid on each gallon manufactured and used in the preparation of soft drinks a tax of 9 cents per gallon; and where any person manufacturing carbonated beverages manufactures and uses any such sirups in the manufacture of carbonated beverages sold in bottles or other closed containers there shall be levied, assessed, collected, and paid on each gallon of such sirups a tax of 5 cents per gallon. The taxes imposed by this subdivision shall not apply to finished or fountain sirups sold for use in the manufacture of a beverage subject to tax under subdivision (a) or (c).

(f) Upon all carbonic acid gas sold by the manufacturer, producer, or importer to a manufacturer of any carbonated beverages, or to any person conducting a soda fountain, ice cream parlor, or other similar place of business, and upon all carbonic acid gas used by the manufacturer, producer, or importer thereof in the preparation of soft drinks, a tax of 4 cents per pound.

SEC. 603. (a) That each manufacturer, producer, or importer of any of the articles enumerated in section 602 and each person who sells carbonic acid gas to a manufacturer of carbonated beverages or to a person conducting a soda fountain, ice cream parlor, or other similar place of business, shall make monthly returns under oath in duplicate and pay the tax imposed in respect to the articles enumerated in section 602 to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the Commissioner, with the approval of the Secretary, may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per centum, together with interest at the rate of 1 per centum for each full month from the time when the tax became due.

(b) Each person required to pay any tax imposed by section 602 shall procure and keep posted a certificate of registry in accordance with regulations to be prescribed by the Commissioner, with the approval of the Secretary. Any person who fails to register or keep posted any certificate of registry in accordance with such regulations, shall be subject to a penalty of not more than \$1,000 for each such offense.

## TITLE VII.—TAX ON CIGARS, TOBACCO, AND MANUFACTURES THEREOF.

SEC. 700. (a) That upon cigars and cigarettes manufactured in or imported into the United States, and hereafter sold by the manufacturer or importer, or removed for consumption or sale, there shall be levied, collected, and paid under the provisions of existing law, in lieu of the internal-revenue taxes now imposed thereon by section 700 of the Revenue Act of 1918, the following taxes, to be paid by the manufacturer or importer thereof—

On cigars of all descriptions made of tobacco, or any substitute therefor, and weighing not more than three pounds per thousand, \$1.50 per thousand;

On cigars made of tobacco, or any substitute therefor, and weighing more than three pounds per thousand, if manufactured or imported to retail at not more than 5 cents each, \$4 per thousand;

If manufactured or imported to retail at more than 5 cents each and not more than 8 cents each, \$6 per thousand;

If manufactured or imported to retail at more than 8 cents each and not more than 15 cents each, \$9 per thousand;

If manufactured or imported to retail at more than 15 cents each and not more than 20 cents each, \$12 per thousand;

If manufactured or imported to retail at more than 20 cents each, \$15 per thousand;

On cigarettes made of tobacco, or any substitute therefor, and weighing not more than three pounds per thousand, \$3 per thousand;

Weighing more than three pounds per thousand, \$7.20 per thousand.

(b) Whenever in this section reference is made to cigars manufactured or imported to retail at not over a certain price each, then in determining the tax to be paid regard shall be had to the ordinary retail price of a single cigar.

(c) The Commissioner may, by regulation, require the manufacturer or importer to affix to each box, package, or container a conspicuous label indicating the clause of this section under which the cigars therein contained have been tax-paid, which must correspond with the tax-paid stamp on such box or container.

(d) Every manufacturer of cigarettes (including small cigars weighing not more than three pounds per thousand) shall put up all the cigarettes and such small cigars that he manufactures or has manufactured for him, and sells or removes for consumption or sale, in packages or parcels containing five, eight, ten, twelve, fifteen, sixteen, twenty, twenty-four, forty, fifty, eighty, or one hundred cigarettes each, and shall securely affix to each of such packages or parcels a suitable stamp denoting the tax thereon and shall properly cancel the same prior to such sale or removal for consumption or sale under such regulations as the Commissioner, with the approval of the Secretary, shall prescribe; and all cigarettes imported from a foreign country shall be packed, stamped, and the stamps canceled in a like manner, in addition to the import stamp indicating inspection of the customhouse before they are withdrawn therefrom.

SEC. 701. (a) That upon all tobacco and snuff manufactured in or imported into the United States, and hereafter sold by the manufacturer or importer, or removed for consumption or sale, there shall be levied, collected, and paid, in lieu of the internal-revenue taxes now imposed thereon by section 701 of the Revenue Act of 1918, a tax of 18 cents per pound, to be paid by the manufacturer or importer thereof.

(b) Section 3362 of the Revised Statutes, as amended by section 701 of the Revenue Act of 1918, is re-enacted without change, as follows:

"SEC. 3362. All manufactured tobacco shall be put up and prepared by the manufacturer for sale, or removal for sale or consumption, in packages of the following description and in no other manner:

"All smoking tobacco, snuff, fine-cut chewing tobacco, all cut and granulated tobacco, all shorts, the refuse of fine-cut chewing, which has passed through a riddle of thirty-six meshes to the square inch, and all refuse scraps, clippings, cuttings, and sweepings of tobacco, and all other kinds of tobacco not otherwise provided for, in packages containing one-eighth of an ounce, three-eighths of an ounce, and further packages with a difference between each package and the one next smaller of one-eighth of an ounce up to and including two ounces, and further packages with a difference between each package and the one next smaller of one-fourth of an ounce up to and including four ounces, and packages of five ounces, six ounces, seven ounces, eight ounces, ten ounces, twelve ounces, fourteen ounces, and sixteen ounces: *Provided*, That snuff may, at the option of the manufacturer, be put up in bladders and in jars containing not exceeding twenty pounds.

"All cavendish, plug, and twist tobacco, in wooden packages not exceeding two hundred pounds net weight.

"And every such wooden package shall have printed or marked thereon the manufacturer's name and place of manufacture, the

# TAX ON CIGARS AND TOBACCO.

Cigarettes.

Retail price defined.

Label requirements.

Cigarettes, etc., packages required.  
Domestic.  
R. S., sec. 3302, p. 668, amended.  
Vol. 36, p. 109; Vol. 40, p. 1117.

Stamps.

Imported.

Manufactured tobacco and snuff.  
Tax payable on sales by manufacturer or importer.  
R. S., sec. 3368, p. 668, amended.  
Vol. 40, p. 1117.

Packages.

Requirements.  
R. S., sec. 3362, p. 668, amended.

Sizes allowed.  
Vol. 40, p. 1117.

Proviso.  
Additional for snuff.

Wooden packages.

Marking, etc.

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|--|---|
| TAX ON CIGARS AND TOBACCO.<br>Provisos.<br>Exports excepted.   | registered number of the manufactory, and the gross weight, the tare, and the net weight of the tobacco in each package: <i>Provided</i> , That these limitations and descriptions of packages shall not apply to tobacco and snuff transported in bond for exportation and actually exported: <i>And provided further</i> , That perique tobacco, snuff flour, fine-cut shorts, the refuse of fine-cut chewing tobacco, refuse scraps, clippings, cuttings, and sweepings of tobacco, may be sold in bulk as material, and without the payment of tax, by one manufacturer directly to another manufacturer, or for export, under such restrictions, rules, and regulations as the Commissioner of Internal Revenue may prescribe: <i>And provided further</i> , That wood, metal, paper, or other materials may be used separately or in combination for packing tobacco, snuff, and cigars, under such regulations as the Commissioner of Internal Revenue may establish." |
| Bulk sales of perique, etc., without tax, to other manufacturers.                                      |   |
| Materials for containers.  |   |
| Cigarette paper and tubes.<br>Tax on sales to others than manufacturers.<br>Vol. 40, p. 1118, amended. | SEC. 703. That there shall be levied, collected, and paid, in lieu of the taxes imposed by section 703 of the Revenue Act of 1918, upon cigarette paper made up into packages, books, sets, or tubes, made up in or imported into the United States and hereafter sold by the manufacturer or importer to any person (other than to a manufacturer of cigarettes for use by him in the manufacture of cigarettes) the following taxes, to be paid by the manufacturer or importer: On each package, book, or set, containing more than twenty-five but not more than fifty papers, $\frac{1}{2}$ cent; containing more than fifty but not more than one hundred papers, 1 cent; containing more than one hundred papers, $\frac{1}{2}$ cent for each fifty papers or fractional part thereof; and upon tubes, 1 cent for each fifty tubes or fractional part thereof.   |
| Rates.   | Every manufacturer of cigarettes purchasing any cigarette paper made up into tubes (a) shall give bond in an amount and with sureties satisfactory to the Commissioner that he will use such tubes in the manufacture of cigarettes or pay thereon a tax equivalent to the tax imposed by this section, and (b) shall keep such records and render under oath such returns as the Commissioner finds necessary to show the disposition of all tubes purchased or imported by such manufacturer of cigarettes.   |
| Use of tubes by manufacturers.<br>Bond required, etc.  | SEC. 704. That section 3360 of the Revised Statutes, as amended by section 704 of the Revenue Act of 1918, is re-enacted without change, as follows:  |
| Leaf tobacco.<br>R. S., sec. 3360, p. 657, amended.  | "SEC. 3360. (a) Every dealer in leaf tobacco shall file with the collector of the district in which his business is carried on a statement in duplicate, subscribed under oath, setting forth the place, and, if in a city, the street and number of the street, where his business is to be carried on, and the exact location of each place where leaf tobacco is held by him on storage, and, whenever he adds to or discontinues any of his leaf tobacco storage places, he shall give immediate notice to the collector of the district in which he is registered.   |
| Dealers.<br>Notice of business, etc., to be filed with collector.<br>Vol. 40, p. 1118.                 | "Every such dealer shall give a bond with surety, satisfactory to, and to be approved by, the collector of the district, in such penal sum as the collector may require, not less than \$500; and a new bond may be required in the discretion of the collector, or under instructions of the Commissioner.   |
| Bond required.   | "Every such dealer shall be assigned a number by the collector of the district, which number shall appear in every inventory, invoice and report rendered by the dealer, who shall also obtain certificates from the collector of the district setting forth the place where his business is carried on and the places designated by the dealer as the places of storage of his tobacco, which certificates shall be posted conspicuously within the dealer's registered place of business, and within each designated place of storage.  |
| District number to be assigned, etc.   | "(b) Every dealer in leaf tobacco shall make and deliver to the collector of the district a true inventory of the quantity of the different kinds of tobacco held or owned, and where stored by him, on   |
| Annual inventory to be filed.  |   |

the 1st day of January of each year, or at the time of commencing and at the time of concluding business, if before or after the 1st day of January, such inventory to be made under oath and rendered in such form as may be prescribed by the Commissioner.

TAX ON CIGARS AND TOBACCO.

"Every dealer in leaf tobacco shall render such invoices and keep such records as shall be prescribed by the Commissioner, and shall enter therein, day by day, and upon the same day on which the circumstance, thing or act to be recorded is done or occurs, an accurate account of the number of hogsheads, tierces, cases and bales, and quantity of leaf tobacco contained therein, purchased or received by him, on assignment, consignment, for storage, by transfer or otherwise, and of whom purchased or received, and the number of hogsheads, tierces, cases and bales, and the quantity of leaf tobacco contained therein, sold by him, with the name and residence in each instance of the person to whom sold, and if shipped, to whom shipped, and to what district; such records shall be kept at his place of business at all times and preserved for a period of two years, and the same shall be open at all hours for the inspection of any internal-revenue officer or agent.

Daily records to be kept, etc. Details.

"Every dealer in leaf tobacco on or before the tenth day of each month, shall furnish to the collector of the district a true and complete report of all purchases, receipts, sales and shipments of leaf tobacco made by him during the month next preceding, which report shall be verified and rendered in such form as the Commissioner, with the approval of the Secretary, shall prescribe.

Monthly reports of transactions.

"(c) Sales or shipments of leaf tobacco by a dealer in leaf tobacco shall be in quantities of not less than a hogshead, tierce, case, or bale, except loose leaf tobacco comprising the breaks on warehouse floors, and except to a duly registered manufacturer of cigars for use in his own manufactory exclusively.

Sales or shipment restrictions.

"Dealers in leaf tobacco shall make shipments of leaf tobacco only to other dealers in leaf tobacco, to registered manufacturers of tobacco, snuff, cigars or cigarettes, or for export.

Shipments limited.

"(d) Upon all leaf tobacco sold, removed or shipped by any dealer in leaf tobacco in violation of the provisions of subdivision (c), or in respect to which no report has been made by such dealer in accordance with the provisions of subdivision (b), there shall be levied, assessed, collected and paid a tax equal to the tax then in force upon manufactured tobacco, such tax to be assessed and collected in the same manner as the tax on manufactured tobacco.

Penalty tax for violations.

"(e) Every dealer in leaf tobacco—

Designated offenses. Failure to give bond, make returns, etc.

"(1) who neglects or refuses to furnish the statement, to give bond, to keep books, to file inventory or to render the invoices, returns or reports required by the Commissioner, or to notify the collector of the district of additions to his places of storage; or

Illegal shipments.

"(2) who ships or delivers leaf tobacco, except as herein provided; or

"(3) who fraudulently omits to account for tobacco purchased, received, sold, or shipped; shall be fined not less than \$100 or more than \$500, or imprisoned not more than one year, or both.

Fraudulent omissions.

Punishment.

"(f) For the purposes of this section a farmer or grower of tobacco shall not be regarded as a dealer in leaf tobacco in respect to the leaf tobacco produced by him."

Farmers or growers not included.

## TITLE VIII.—TAX ON ADMISSIONS AND DUES.

ADMISSIONS AND DUES.

SEC. 800. (a) That from and after January 1, 1922, there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 800 of the Revenue Act of 1918—

Tax on admissions. Vol. 40, p. 1120, amended.

**ADMISSIONS AND DUES.  
Rates.**

(1) A tax of 1 cent for each 10 cents or fraction thereof of the amount paid for admission to any place on or after such date, including admission by season ticket or subscription, to be paid by the person paying for such admission; but where the amount paid for admission is 10 cents or less, no tax shall be imposed;

Additional on sales  
at increased price at  
other than box office.

(2) Upon tickets or cards of admission to theaters, operas, and other places of amusement, sold at news stands, hotels, and places other than the ticket offices of such theaters, operas, or other places of amusement, at not to exceed 50 cents in excess of the sum of the established price therefor at such ticket offices plus the amount of any tax imposed under paragraph (1), a tax equivalent to 5 per centum of the amount of such excess; and if sold for more than 50 cents in excess of the sum of such established price plus the amount of any tax imposed under paragraph (1), a tax equivalent to 50 per centum of the whole amount of such excess, such taxes to be returned and paid, in the manner and subject to the penalties and interest provided in section 903, by the person selling such tickets;

Sales by proprietors,  
etc., in excess of regu-  
lar rates.

(3) A tax equivalent to 50 per centum of the amount for which the proprietors, managers, or employees of any opera house, theater, or other place of amusement sell or dispose of tickets or cards of admission in excess of the regular or established price or charge therefor; such tax to be returned and paid, in the manner and subject to the penalties and interest provided in section 903, by the person selling such tickets;

By box holders, etc.

(4) In the case of persons having the permanent use of boxes or seats in an opera house or any place of amusement or a lease for the use of such box or seat in such opera house or place of amusement (in lieu of the tax imposed by paragraph (1)), a tax equivalent to 10 per centum of the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by or for the lessee or holder, such tax to be paid by the lessee or holder; and

Roof gardens, cabarets, etc.

(5) A tax of  $1\frac{1}{2}$  cents for each 10 cents or fraction thereof of the amount paid for admission to any public performance for profit at any roof garden, cabaret, or other similar entertainment, to which the charge for admission is wholly or in part included in the price paid for refreshment, service, or merchandise; the amount paid for such admission to be deemed to be 20 per centum of the amount paid for refreshment, service, and merchandise; such tax to be paid by the person paying for such refreshment, service, or merchandise.

Entertainments ex-  
empt.  
Religious, education-  
al, etc.

(b) No tax shall be levied under this title in respect to (1) any admissions all the proceeds of which inure (A) exclusively to the benefit of religious, educational, or charitable institutions, societies, or organizations, any post of the American Legion or the women's auxiliary units thereof, societies for the prevention of cruelty to children or animals, or societies or organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, or of improving any city, town, village, or other municipality, or of maintaining a cooperative or community center moving-picture theater—if no part of the net earnings thereof inures to the benefit of any private stockholder or individual; or (B) exclusively to the benefit of persons in the military or naval forces of the United States; or (C) exclusively to the benefit of persons who have served in such forces and are in need; or (2) any admissions to agricultural fairs if no part of the net earnings thereof inures to the benefit of any stockholders or members of the association conducting the same, or admissions to any exhibit, entertainment, or other pay feature conducted by such association as part of any such fair,—if the proceeds therefrom are used exclusively for the improvement, maintenance and operation of such agricultural fairs.

Conditions.

Additional exemp-  
tions.

Agricultural fairs,  
etc.

(c) The term "admission" as used in this title includes seats and tables, reserved or otherwise, and other similar accommodations, and the charges made therefor.

ADMISSIONS AND DUES.  
Charges included in admissions.

(d) The price (exclusive of the tax to be paid by the person paying for admission) at which every admission ticket or card is sold shall be conspicuously and indelibly printed, stamped, or written on the face or back of that part of the ticket which is to be taken up by the management of the theater, opera, or other place of amusement, together with the name of the vendor if sold other than at the ticket office of the theater, opera, or other place of amusement. Whoever sells an admission ticket or card on which the name of the vendor and price is not so printed, stamped, or written, or at a price in excess of the price so printed, stamped, or written thereon, is guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$100.

Price, etc., to be printed on tickets.  
Vol. 40, p. 1121, amended.

Penalty for evasions, etc.

SEC. 801. That from and after January 1, 1922, there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 801 of the Revenue Act of 1918, a tax equivalent to 10 per centum of any amount paid on or after such date, for any period after such date, (a) as dues or membership fees (where the dues or fees of an active resident annual member are in excess of \$10 per year) to any social, athletic, or sporting club or organization; or (b) as initiation fees to such a club or organization, if such fees amount to more than \$10, or if the dues or membership fees (not including initiation fees) of an active resident annual member are in excess of \$10 per year; such taxes to be paid by the person paying such dues or fees: *Provided*, That there shall be exempted from the provisions of this section all amounts paid as dues or fees to a fraternal society, order, or association, operating under the lodge system. In the case of life memberships a life member shall pay annually, at the time for the payment of dues by active resident annual members, a tax equivalent to the tax upon the amount paid by such a member, but shall pay no tax upon the amount paid for life membership.

Tax on club dues, etc.

Initiation fees.

*Provided*.  
Fraternal lodges, etc., exempt.

Life memberships.

SEC. 802. That every person receiving any payments for such admission, dues, or fees, shall collect the amount of the tax imposed by section 800 or 801 from the person making such payments. Every club or organization having life members, shall collect from such members the amount of the tax imposed by section 801. In all the above cases returns and payments of the amount so collected shall be made at the same time and in the same manner and subject to the same penalties and interest as provided in section 502.

Collection by receivers.

Returns and payment.

*Act*, p. 284.

## TITLE IX.—EXCISE TAXES.

### EXCISE TAXES.

SEC. 900. That from and after January 1, 1922, there shall be levied, assessed, collected, and paid upon the following articles sold or leased by the manufacturer, producer, or importer, a tax equivalent to the following percentages of the price for which so sold or leased—

Levied after January 1, 1922, on sales by manufacturers, etc.  
Vol. 40, p. 1122, amended.

(1) Automobile trucks and automobile wagons (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof), 3 per centum;

Automobile trucks, etc.

(2) Other automobiles and motor cycles (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof), except tractors, 5 per centum;

Other automobiles, etc.

(3) Tires, inner tubes, parts, or accessories for any of the articles enumerated in subdivision (1) or (2), sold to any person other than a manufacturer or producer of any of the articles enumerated in subdivision (1) or (2), 5 per centum;

Accessories, to other than manufacturer, etc.

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| EXCISE TAXES.  |   |
| Cameras.   | (4) Cameras, weighing not more than 100 pounds, and lenses for such cameras, 10 per centum;   |
| Photographic films, etc.   | (5) Photographic films and plates (other than moving-picture films), 5 per centum;  |
| Candy.   | (6) Candy, 3 per centum;  |
| Firearms, etc.   | (7) Firearms, shells, and cartridges, except those sold for the use of the United States, any State, Territory, or possession of the United States, any political subdivision thereof, or the District of Columbia, 10 per centum;  |
| Hunting knives, etc.   | (8) Hunting and bowie knives, 10 per centum;  |
| Dirk knives, etc.  | (9) Dirk knives, daggers, sword canes, stilettos, and brass or metallic knuckles, 100 per centum;   |
| Smokers' articles.   | (10) Cigar or cigarette holders and pipes, composed wholly or in part of meerschaum or amber, humidors, and smoking stands, 10 per centum;  |
| Slot machines.   | (11) Automatic slot-device vending machines, 5 per centum, and automatic slot-device weighing machines, 10 per centum; if the manufacturer, producer, or importer of any such machine operates it for profit, he shall pay a tax in respect to each such machine put into operation equivalent to 5 per centum of its fair market value in the case of a vending machine, and 10 per centum of its fair market value in the case of a weighing machine;   |
| Operated by manufacturer.  | (12) Liveries and livery boots and hats, 10 per centum;   |
| Liveries.  | (13) Hunting and shooting garments and riding habits, 10 per centum;  |
| Hunting garments, etc.   | (14) Yachts and motor boats not designed for trade, fishing, or national defense; and pleasure boats and pleasure canoes if sold for more than \$100, 10 per centum.  |
| Yachts, pleasure boats, etc.   | If any manufacturer, producer, or importer of any of the articles enumerated in this section customarily sells such articles both at wholesale and at retail, the tax in the case of any article sold by him at retail shall be computed on the price for which like articles are sold by him at wholesale.   |
| Computation on retail sales by manufacturer, etc.                              | The taxes imposed by this section shall, in the case of any article in respect to which a corresponding tax is imposed by section 900 of the Revenue Act of 1918, be in lieu of such tax.   |
| In lieu of former taxes.   | SEC. 901. That if any person who manufactures, produces or imports any article enumerated in section 900, or leases or licenses for exhibition any positive motion-picture film containing a picture ready for projection, (a) sells, leases, or licenses such article to a corporation affiliated with such person within the meaning of section 240 of this Act, at less than the fair market price obtainable therefor, the tax thereon shall be computed on the basis of the price at which such article is sold, leased or licensed by such affiliated corporation; and (b) if any such person sells, leases, or licenses such article whether through any agreement, arrangement, or understanding, or otherwise, at less than the fair market price obtainable therefor, either (1) in such manner as directly or indirectly to benefit such person or any person directly or indirectly interested in the business of such person, or (2) with intent to cause such benefit, the amount for which such article is sold, leased or licensed shall be taken to be the amount which would have been received from the sale, lease or license of such article if sold, leased or licensed at the fair market price. |
| Vol. 40, pp. 1122-1125.  | SEC. 902. That there shall be levied, assessed, collected, and paid upon sculpture, paintings, statuary, art porcelains, and bronzes, sold by any person other than the artist, a tax equivalent to 5 per centum of the price for which so sold. This section shall not apply to the sale of any such article (1) to an educational institution or public art museum, or (2) by any dealer in such articles to another dealer in such articles for resale.  |
| Computation, if sold at less than market price to affiliated corporation, etc. |   |
| To benefit interest of manufacturer, etc.                                      |   |
| Works of art sold by other than artist.  |   |
| Sales excepted.  |   |

SEC. 903. That every person liable for any tax imposed by section 900, 902, or 904, shall make monthly returns under oath in duplicate and pay the taxes imposed by such sections to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the Commissioner, with the approval of the Secretary, may by regulations prescribe.

The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per centum, together with interest at the rate of 1 per centum for each full month, from the time when the tax became due.

SEC. 904. That from and after January 1, 1922, there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 904 of the Revenue Act of 1918, upon the following articles sold or leased by the manufacturer, producer, or importer, a tax equivalent to 5 per centum of so much of the price for which so sold or leased as is in excess of the price hereinafter specified as to each such article—

(1) Carpets and rugs, including fiber, on the amount in excess of \$4.50 per square yard in the case of carpets and \$6 per square yard in the case of rugs;

(2) Trunks, on the amount in excess of \$35 each;

(3) Valises, traveling bags, suit cases, hat boxes used by travelers, and fitted toilet cases, on the amount in excess of \$25 each;

(4) Purses, pocketbooks, shopping and hand bags, on the amount in excess of \$5 each;

(5) Portable lighting fixtures, including lamps of all kinds and lamp shades, on the amount in excess of \$10 each;

(6) Fans, on the amount in excess of \$1 each.

SEC. 905. (a) That on and after January 1, 1922, there shall be levied, assessed, collected, and paid (in lieu of the tax imposed by section 905 of the Revenue Act of 1918) upon all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semiprecious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with, precious metals or imitations thereof or ivory (not including surgical instruments, eyeglasses, and spectacles); watches; clocks; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars; upon any of the above when sold by or for a dealer or his estate for consumption or use, a tax equivalent to 5 per centum of the price for which so sold.

(b) Every person selling any of the articles enumerated in this section shall make returns under oath in duplicate (monthly or quarterly as the Commissioner, with the approval of the Secretary, may prescribe) and pay the taxes imposed in respect to such articles by this section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the Commissioner, with the approval of the Secretary, may by regulations prescribe.

(c) The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per centum, together with interest at the rate of 1 per centum for each full month, from the time when the tax became due.

SEC. 906. (a) That if (1) any person has, prior to August 15, 1921, made a bona fide contract with a dealer for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed by section 900 or 904, or by this subdivision, and in respect to which no corresponding tax was imposed by section 900 of the Revenue

EXCISE TAXES.  
Monthly returns and payments.

Time of payment.

Penalty for failure.

Articles sold by manufacturers, etc., above specified price.

Carpets and rugs.

Trunks.

Valises, etc.

Purses, etc.

Portable lighting fixtures.

Fans.

Sales by dealers. Jewelry, precious metal mountings, time pieces, etc.

Surgical instruments, eyeglasses, and spectacles excepted.

Returns, payment, etc.

Time of payment.

Penalty for failure.

Contracts prior to August 15, 1921, for sales, etc., of articles not taxed before. Vendee to pay, if addition to price for, not permitted by contract.



**EXCISE TAXES.**

No tax if to other than dealer.

If former tax greater than herein imposed.

Vendor to refund difference if deduction from price not permitted by contract.

Previously taxed but not hereby.

Vendor to refund tax paid if deduction not permitted by contract.

Payable to vendor when sale, etc., consummated.

Refund to vendee when sale, etc., consummated. Triple damages on failure.

Purchasers intending to manufacture from articles, deemed dealers.

Act of 1918, and (2) such contract does not permit the adding, to the amount to be paid thereunder, of the whole of the tax imposed by section 900 or 904 of this Act or by this subdivision; then the vendee or lessee shall, in lieu of the vendor or lessor, pay so much of the tax imposed by section 900 or 904 of this Act or by this subdivision as is not so permitted to be added to the contract price. If a contract of the character above described was made with any person other than a dealer, no tax shall be collected under this Act.

(b) If (1) any person has, prior to August 15, 1921, made a bona fide contract with any other person for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed by section 900 of this Act, and in respect to which a corresponding but greater tax was imposed by section 900 of the Revenue Act of 1918, (2) the contract price includes the amount of the tax imposed by section 900 of the Revenue Act of 1918, and (3) such contract does not permit the deduction, from the amount to be paid thereunder, of the whole of the difference between the corresponding tax imposed by section 900 of the Revenue Act of 1918 and the tax imposed by section 900 of this Act; then the vendor or lessor shall refund to the vendee or lessee so much of the amount of such difference as is not so permitted to be deducted from the contract price.

(c) If (1) any person has, prior to August 15, 1921, made a bona fide contract with any other person for the sale or lease, after December 31, 1921, of any article in respect to which a tax was imposed by section 900 of the Revenue Act of 1918, and in respect to which no corresponding tax is imposed by section 900 of this Act, (2) the contract price includes the amount of the tax imposed by section 900 of the Revenue Act of 1918, and (3) such contract does not permit deduction, from the amount to be paid thereunder, of the tax imposed by section 900 of the Revenue Act of 1918; then the vendor or lessor shall refund to the vendee or lessee so much of the amount of such tax as is not so permitted to be deducted from the contract price.

(d) The taxes payable by the vendee or lessee under subdivision (a), shall be paid to the vendor or lessor at the time the sale or lease is consummated, and collected, returned, and paid to the United States by such vendor or lessor in the same manner and subject to the same penalties and interest as provided by section 903.

(e) Any refund by the vendor or lessor under subdivision (b) or (c) shall be made at the time the sale or lease is consummated. Upon the failure of the vendor or lessor so to refund, he shall be liable to the vendee or lessee for damages in the amount of three times the amount of such refund, and the court shall include in any judgment in favor of the vendee or lessee in any suit for the recovery of such damages, costs of the suit and a reasonable attorney's fee to be fixed by the court.

(f) A vendee who purchases any article with intent to use it in the manufacture or production of another article intended for sale shall be included in the term "dealer," as used in this section.

**SPECIAL TAXES.****TITLE X.—SPECIAL TAXES.****Capital stock tax.****CAPITAL STOCK TAX.**

Levied after July 1, 1922.  
Vol. 40, p. 1126, amended.  
Domestic corporations.

SEC. 1000. (a) That on and after July 1, 1922, in lieu of the tax imposed by section 1000 of the Revenue Act of 1918—

(1) Every domestic corporation shall pay annually a special excise tax with respect to carrying on or doing business, equivalent to \$1 for each \$1,000 of so much of the fair average value of its capital stock for the preceding year ending June 30 as is in excess of \$5,000. In

estimating the value of capital stock the surplus and undivided profits shall be included;

(2) Every foreign corporation shall pay annually a special excise tax with respect to carrying on or doing business in the United States, equivalent to \$1 for each \$1,000 of the average amount of capital employed in the transaction of its business in the United States during the preceding year ending June 30.

(b) The taxes imposed by this section shall not apply in any year to any corporation which was not engaged in business (or, in the case of a foreign corporation, not engaged in business in the United States) during the preceding year ending June 30, nor to any corporation enumerated in section 231, nor to any insurance company subject to the tax imposed by section 243 or 246.

(c) Section 257 shall apply to all returns filed with the Commissioner for purposes of the tax imposed by this section.

## SPECIAL TAXES.

Foreign corporations, on capital employed in United States.

Exempt if not in business.

Other exemptions. *Act*, pp. 253, 261, 262.

Publicity, etc.

## MISCELLANEOUS OCCUPATIONAL TAXES.

SEC. 1001. That on and after July 1, 1922, there shall be levied, collected, and paid annually the following special taxes—

(1) Brokers shall pay \$50. Every person whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank notes, promissory notes, other securities, produce or merchandise, for others, shall be regarded as a broker. If a broker is a member of a stock exchange, or if he is a member of any produce exchange, board of trade, or similar organization, where produce or merchandise is sold, he shall pay an additional amount as follows: If the average value, during the preceding year ending June 30, of a seat or membership in such exchange or organization was \$2,000 or more but not more than \$5,000, \$100; if such value was more than \$5,000, \$150.

(2) Pawnbrokers shall pay \$100. Every person whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money loaned thereon, shall be regarded as a pawnbroker.

(3) Ship brokers shall pay \$50. Every person whose business it is as a broker to negotiate freights and other business for the owners of vessels or for the shippers or consignors or consignees of freight carried by vessels, shall be regarded as a ship broker.

(4) Customhouse brokers shall pay \$50. Every person whose occupation it is, as the agent of others, to arrange entries and other customhouse papers, or transact business at any port of entry relating to the importation or exportation of goods, wares, or merchandise, shall be regarded as a customhouse broker.

(5) Proprietors of theaters, museums, and concert halls, where a charge for admission is made, having a seating capacity of not more than two hundred and fifty, shall pay \$50; having a seating capacity of more than two hundred and fifty and not exceeding five hundred, shall pay \$100; having a seating capacity exceeding five hundred and not exceeding eight hundred, shall pay \$150; having a seating capacity of more than eight hundred, shall pay \$200. Every edifice used for the purpose of dramatic or operatic or other representations, plays, or performances, for admission to which entrance money is received, not including halls or armories rented or used occasionally for concerts or theatrical representations, and not including edifices owned by religious, educational or charitable institutions, societies or organizations where all the proceeds from admissions inure exclusively to the benefit of such institutions, societies or organizations or exclusively to the benefit of persons in the military or naval forces

Miscellaneous occupations.

Designated businesses. Vol. 40, p. 1126, amended. Brokers. Business defined.

Exchange members.

Pawnbrokers. Business defined.

Ship brokers. Business defined.

Customhouse brokers. Business defined.

Theater, etc., proprietors. Basis of tax.

Buildings included.

Exceptions.

|                                 |   |
|---------------------------------|---|
| <b>SPECIAL TAXES.</b>           | of the United States, shall be regarded as a theater: <i>Provided</i> , That  |
| <i>Proviso.</i>                 | in cities, towns, or villages of five thousand inhabitants or less the        |
| For small towns, etc.           | amount of such payment shall be one-half of that above stated:                |
| <b>Leased buildings.</b>        | <i>Provided further</i> , That whenever any such edifice is under lease at    |
|                                 | the time the tax is due, the tax shall be paid by the lessee, unless          |
|                                 | otherwise stipulated between the parties to the lease.                        |
| <b>Circus proprietors.</b>      | (6) The proprietor or proprietors of circuses shall pay \$100.                |
| <b>Business defined.</b>        | Every building, space, tent, or area, where feats of horsemanship or          |
|                                 | acrobatic sports or theatrical performances not otherwise provided            |
| <i>Proviso.</i>                 | for in this section are exhibited shall be regarded as a circus: <i>Pro-</i>  |
| State requirements.             | <i>vided</i> , That no special tax paid in one State, Territory, or the Dis-  |
|                                 | trict of Columbia, shall exempt exhibitions from the tax in another           |
|                                 | State, Territory, or the District of Columbia, and but one special            |
|                                 | tax shall be imposed for exhibitions within any one State, Territory,         |
|                                 | or District.  |
| <b>All other exhibi-</b>        | (7) Proprietors or agents of all other public exhibitions or shows            |
| <b>tions.</b>                   | for money not enumerated in this section shall pay \$15: <i>Provided</i> ,    |
| <i>Proviso.</i>                 | That a special tax paid in one State, Territory, or the District of           |
| State requirements.             | Columbia shall not exempt exhibitions from the tax in another State,          |
|                                 | Territory, or the District of Columbia, and but one special tax shall         |
|                                 | be required for exhibitions within any one State, Territory, or the           |
| <b>Exemptions.</b>              | District of Columbia: <i>Provided further</i> , That this paragraph shall not |
|                                 | apply to Chautauquas, lecture lyceums, agricultural or industrial             |
|                                 | fairs, or exhibitions held under the auspices of religious or charitable      |
| <b>Street fair limita-</b>      | associations: <i>Provided further</i> , That an aggregation of entertain-     |
| <b>tions.</b>                   | ments, known as a street fair, shall not pay a larger tax than \$100 in       |
|                                 | any State, Territory, or in the District of Columbia.                         |
| <b>Bowling alleys, etc.</b>     | (8) Proprietors of bowling alleys and billiard rooms shall pay \$10           |
| <b>Description.</b>             | for each alley or table. Every building or place where bowls are              |
|                                 | thrown or where games of billiards or pool are played, except in              |
|                                 | private homes, shall be regarded as a bowling alley or a billiard room,       |
|                                 | respectively.   |
| <b>Shooting galleries.</b>      | (9) Proprietors of shooting galleries shall pay \$20. Every build-            |
| <b>Description.</b>             | ing, space, tent, or area, where a charge is made for the discharge of        |
|                                 | firearms at any form of target shall be regarded as a shooting gallery.       |
| <b>Riding academies.</b>        | (10) Proprietors of riding academies shall pay \$100. Every                   |
| <b>Description.</b>             | building, space, tent, or area, where a charge is made for instruction        |
|                                 | in horsemanship or for facilities for the practice of horsemanship            |
|                                 | shall be regarded as a riding academy: <i>Provided</i> , That this tax shall  |
| <i>Proviso.</i>                 | not be collected from associations composed exclusively of members            |
| Exemptions.                     | of units of the Federalized National Guard or the Organized Reserve           |
|                                 | and whose receipts are used exclusively for the benefit of such units.        |
| <b>Automobile passen-</b>       | (11) Persons carrying on the business of operating or renting pas-            |
| <b>ger hiring.</b>              | senger automobiles for hire shall pay \$10 for each such automobile           |
|                                 | having a seating capacity of more than two and not more than seven,           |
|                                 | and \$20 for each such automobile having a seating capacity of more           |
|                                 | than seven.   |
| <b>Brewers, distillers,</b>     | (12) Every person carrying on the business of a brewer, distiller,            |
| <b>liquor dealers, etc.</b>     | wholesale liquor dealer, retail liquor dealer, wholesale dealer in malt       |
| <b>R. S., secs. 3244, 3247,</b> | liquor, retail dealer in malt liquor, or manufacturer of stills, as de-       |
| <b>pp. 622, 626.</b>            | defined in section 3244 as amended and section 3247 of the Revised            |
| <b>Additional tax if</b>        | Statutes, in any State, Territory, or District of the United States           |
| <b>business prohibited by</b>   | contrary to the laws of such State, Territory, or District, or in any         |
| <b>State, etc., laws.</b>       | place therein in which carrying on such business is prohibited by             |
|                                 | local or municipal law, shall pay, in addition to all other taxes, special    |
|                                 | or otherwise, imposed by existing law or by this Act, \$1,000.                |
| <b>Payment no exemp-</b>        | The payment of the tax imposed by this subdivision shall not be               |
| <b>tion from punishment,</b>    | held to exempt any person from any penalty or punishment provided             |
| <b>etc., under State, etc.,</b> | for by the laws of any State, Territory, or District for carrying on          |
| <b>laws.</b>                    | such business in such State, Territory, or District, or in any manner         |

to authorize the commencement or continuance of such business contrary to the laws of such State, Territory, or District, or in places prohibited by local or municipal law.

The taxes imposed by this section shall, in the case of persons upon whom a corresponding tax is imposed by section 1001 of the Revenue Act of 1918, be in lieu of such tax.

## SPECIAL TAXES.

Taxes in lieu of former.  
Vol. 40, pp. 1126-1128.

## SPECIAL TOBACCO MANUFACTURERS' TAX.

Tobacco.

SEC. 1002. That on and after July 1, 1922, there shall be levied, collected, and paid annually, in lieu of the taxes imposed by section 1002 of the Revenue Act of 1918, the following special taxes, the amount of such taxes to be computed on the basis of the sales for the preceding year ending June 30—

Special tax on sales by manufacturers.  
Vol. 40, p. 1128, amended.

Manufacturers of tobacco whose annual sales do not exceed fifty thousand pounds shall each pay \$6;

Tobacco.  
R. S., sec. 3244, p. 624, amended.

Manufacturers of tobacco whose annual sales exceed fifty thousand and do not exceed one hundred thousand pounds shall each pay \$12;

Manufacturers of tobacco whose annual sales exceed one hundred thousand and do not exceed two hundred thousand pounds shall each pay \$24;

Manufacturers of tobacco whose annual sales exceed two hundred thousand pounds shall each pay \$24, and at the rate of 16 cents per thousand pounds, or fraction thereof, in respect to the excess over two hundred thousand pounds;

Manufacturers of cigars whose annual sales do not exceed fifty thousand cigars shall each pay \$4;

Cigars.  
R. S., sec. 3244, p. 624, amended.

Manufacturers of cigars whose annual sales exceed fifty thousand and do not exceed one hundred thousand cigars shall each pay \$6;

Manufacturers of cigars whose annual sales exceed one hundred thousand and do not exceed two hundred thousand cigars shall each pay \$12;

Manufacturers of cigars whose annual sales exceed two hundred thousand and do not exceed four hundred thousand cigars shall each pay \$24;

Manufacturers of cigars whose annual sales exceed four hundred thousand cigars shall each pay \$24, and at the rate of 10 cents per thousand cigars, or fraction thereof, in respect to the excess over four hundred thousand cigars;

Manufacturers of cigarettes, including small cigars weighing not more than three pounds per thousand, shall each pay at the rate of 6 cents for every ten thousand cigarettes, or fraction thereof.

Cigarettes.

In arriving at the amount of special tax to be paid under this section, and in the levy and collection of such tax, each person engaged in the manufacture of more than one of the classes of articles specified in this section shall be considered and deemed a manufacturer of each class separately.

Each class separately taxed.

In computing under this section the amount of annual sales no account shall be taken of tobacco, cigars, or cigarettes, sold for export and in due course so exported.

Exports exempt.

## SPECIAL TAX ON USE OF BOATS.

Pleasure boats, etc.

SEC. 1003. That on and after July 1, 1922, and thereafter on July 1 in each year, and also at the time of the original purchase of a new boat by a user, if on any other date than July 1, there shall be levied, assessed, collected, and paid, in lieu of the tax imposed by section 1003 of the Revenue Act of 1918, upon the use of yachts, pleasure boats, power boats, sailing boats, and motor boats with fixed engines, of over five net tons and over thirty-two feet in length, not used exclusively for trade, fishing, or national defense, or not built accord-

Special annual tax on use of specified boats.  
Vol. 40, p. 1129, amended.

|  |  |
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| SPECIAL TAXES.<br>Rates.   | ing to plans and specifications approved by the Navy Department, a special excise tax to be based on each yacht or boat, at rates as follows: Yachts, pleasure boats, power boats, motor boats with fixed engines, and sailing boats, of over five net tons, length over thirty-two feet and not over fifty feet, \$1 for each foot; length over fifty feet and not over one hundred feet, \$2 for each foot; length over one hundred feet, \$4 for each foot.                                   |
| Measurements.  | In determining the length of such yachts, pleasure boats, power boats, motor boats with fixed engines, and sailing boats, the measurement of over-all length shall govern.   |
| For part of year on new purchases.   | In the case of a tax imposed at the time of the original purchase of a new boat on any other date than July 1, the amount to be paid shall be the same number of twelfths of the amount of the tax as the number of calendar months (including the month of sale) remaining prior to the following July 1.   |
| Exemptions.  | This section shall not apply to vessels or boats used without profit by any benevolent, charitable, or religious organizations, exclusively for furnishing aid, comfort, or relief to seamen.  |
| Penalty.   | <p style="text-align: center;">PENALTY FOR NONPAYMENT OF SPECIAL TAXES.</p>  |
| Punishment for conducting business without paying tax.                                     | SEC. 1004. That any person who carries on any business or occupation for which a special tax is imposed by sections 1000, 1001 or 1002, without having paid the special tax therein provided, shall, besides being liable for the payment of such special tax, be subject to a penalty of not more than \$1,000 or to imprisonment for not more than one year, or both.  |
| Tax on narcotics.  | <p style="text-align: center;">TAX ON NARCOTICS.</p>   |
| Reenactment of former law.<br>Vol. 38, p. 785.   | SEC. 1005. That section 1 of the Act entitled "An Act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914, as amended by section 1006 of the Revenue Act of 1918, is re-enacted without change, as follows: |
| Vol. 40, p. 1130.  | "SECTION 1. That on or before July 1 of each year every person who imports, manufactures, produces, compounds, sells, deals in, dispenses, or gives away opium or coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof, shall register with the collector of internal revenue of the district his name or style, place of business and place or places where such business is to be carried on, and pay the special taxes hereinafter provided;                   |
| Opium, coca leaves, etc.<br>Importers, manufacturers, dealers, etc., required to register. | "Every person who on January 1, 1919, is engaged in any of the activities above enumerated, or who between such date and the passage of this Act first engaged in any of such activities, shall within thirty days after the passage of this Act make like registration, and shall pay the proportionate part of the tax for the period ending June 30, 1919; and  |
| Registration of persons in business January 1, 1919.                                       | "Every person who first engages in any of such activities after the passage of this Act shall immediately make like registration and pay the proportionate part of the tax for the period ending on the following June 30th;   |
| Engaging in business thereafter.   | "Importers, manufacturers, producers, or compounders, \$24 per annum; wholesale dealers, \$12 per annum; retail dealers, \$6 per annum; physicians, dentists, veterinary surgeons, and other practitioners lawfully entitled to distribute, dispense, give away, or administer any of the aforesaid drugs to patients upon whom they   |
| Rates of tax.  |  |

in the course of their professional practice are in attendance, shall pay \$3 per annum.

"Every person who imports, manufactures, compounds, or otherwise produces for sale or distribution any of the aforesaid drugs shall be deemed to be an importer, manufacturer, or producer.

"Every person who sells or offers for sale any of said drugs in the original stamped packages, as hereinafter provided, shall be deemed a wholesale dealer.

"Every person who sells or dispenses from original stamped packages, as hereinafter provided, shall be deemed a retail dealer: *Provided*, That the office, or if none, the residence, of any person shall be considered for the purpose of this Act his place of business; but no employee of any person who has registered and paid special tax as herein required, acting within the scope of his employment, shall be required to register and pay special tax provided by this section: *Provided further*, That officials of the United States, Territorial, District of Columbia, or insular possessions, State or municipal governments, who in the exercise of their official duties engage in any of the business herein described, shall not be required to register, nor pay special tax, nor stamp the aforesaid drugs as hereinafter prescribed, but their right to this exemption shall be evidenced in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulations prescribe.

"It shall be unlawful for any person required to register under the provisions of this Act to import, manufacture, produce, compound, sell, deal in, dispense, distribute, administer, or give away any of the aforesaid drugs without having registered and paid the special tax as imposed by this section.

"That the word 'person' as used in this Act shall be construed to mean and include a partnership, association, company, or corporation, as well as a natural person; and all provisions of existing law relating to special taxes, as far as necessary, are hereby extended and made applicable to this section.

"That there shall be levied, assessed, collected, and paid upon opium, coca leaves, any compound, salt, derivative, or preparation thereof, produced in or imported into the United States, and sold, or removed for consumption or sale, an internal-revenue tax at the rate of 1 cent per ounce, and any fraction of an ounce in a package shall be taxed as an ounce, such tax to be paid by the importer, manufacturer, producer, or compounder thereof, and to be represented by appropriate stamps, to be provided by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury; and the stamps herein provided shall be so affixed to the bottle or other container as to securely seal the stopper, covering, or wrapper thereof.

"The tax imposed by this section shall be in addition to any import duty imposed on the aforesaid drugs.

"It shall be unlawful for any person to purchase, sell, dispense, or distribute any of the aforesaid drugs except in the original stamped package or from the original stamped package; and the absence of appropriate tax-paid stamps from any of the aforesaid drugs shall be prima facie evidence of a violation of this section by the person in whose possession same may be found; and the possession of any original stamped package containing any of the aforesaid drugs by any person who has not registered and paid special taxes as required by this section shall be prima facie evidence of liability to such special tax: *Provided*, That the provisions of this paragraph shall not apply to any person having in his or her possession any of the aforesaid drugs which have been obtained from a registered dealer in pursuance of a prescription, written for legitimate medical

TAX ON NARCOTICS.

Classification.  
Importers, manu-  
facturers, producers.

Wholesale dealers.

Retail dealers.

*Proviso.*  
Place of business.

Employees exempt.

Officials not taxed.

Evidence required.

Importing, etc.,  
without registration,  
unlawful.

"Person," con-  
strued.  
General laws appli-  
cable.

Internal revenue  
stamp on product.

Additional to im-  
port duty.

Disposal of drugs  
unstamped, etc., un-  
lawful.

Absence of stamps,  
evidence of violation.

Unlawful possession.

*Proviso.*  
Not applicable to  
valid prescriptions,  
etc.

TAX ON NARCOTICS.  
Container require-  
ments.

Professional admin-  
istration, etc.

Stamp regulations  
applicable.

Seizure of unstamped  
packages.

Records, returns,  
etc.

Regulations to be  
made.

Text reenacted.  
Vol. 40, p. 1132.

Drugs not affected  
by Act.

Proviso.  
If used as medicines.

Records of sales, etc.,  
to be kept.

Preservation for in-  
spection.

uses, issued by a physician, dentist, veterinary surgeon, or other practitioner registered under this Act; and where the bottle or other container in which such drug may be put up by the dealer upon said prescription bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person writing said prescription; or to the dispensing, or administration, or giving away of any of the aforesaid drugs to a patient by a registered physician, dentist, veterinary surgeon, or other practitioner in the course of his professional practice, and where said drugs are dispensed or administered to the patient for legitimate medical purposes, and the record kept as required by this Act of the drugs so dispensed, administered, distributed, or given away.

"And all the provisions of existing laws relating to the engraving, issuance, sale, accountability, cancellation, and destruction of tax-paid stamps provided for in the internal-revenue laws are, in so far as necessary, hereby extended and made to apply to stamps provided by this section.

"That all unstamped packages of the aforesaid drugs found in the possession of any person, except as herein provided, shall be subject to seizure and forfeiture, and all the provisions of existing internal-revenue laws relating to searches, seizures, and forfeitures of unstamped articles are hereby extended to and made to apply to the articles taxed under this Act and the persons upon whom these taxes are imposed.

"Importers, manufacturers, and wholesale dealers shall keep such books and records and render such monthly returns in relation to the transactions in the aforesaid drugs as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulations require.

"The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make all needful rules and regulations for carrying the provisions of this Act into effect."

SEC. 1006. That section 6 of such Act of December 17, 1914, as amended by section 1007 of the Revenue Act of 1918, is re-enacted without change, as follows:

"SEC. 6. That the provisions of this Act shall not be construed to apply to the manufacture, sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if a solid or semisolid preparation, in one avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use, only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are manufactured, sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this Act: *Provided further*, That any manufacturer, producer, compounder, or vendor (including dispensing physicians) of the preparations and remedies mentioned in this section shall keep a record of all sales, exchanges, or gifts of such preparations and remedies in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall direct. Such record shall be preserved for a period of two years in such a way as to be readily accessible to inspection by any officer, agent or employee of the Treasury Department duly authorized for that purpose, and the State, Territorial,

District, municipal, and insular officers named in section 5 of this Act, and every such person so possessing or disposing of such preparations and remedies shall register as required in section 1 of this Act and, if he is not paying a tax under this Act, he shall pay a special tax of \$1 for each year, or fractional part thereof, in which he is engaged in such occupation, to the collector of internal revenue of the district in which he carries on such occupation as provided in this Act. The provisions of this Act as amended shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine."

SEC. 1007. That all opium, its salts, derivatives, and compounds, and coca leaves, salts, derivatives, and compounds thereof, which may now be under seizure or which may hereafter be seized by the United States Government from any person or persons charged with any violation of the Act of October 1, 1890, as amended by the Acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the Act of December 17, 1914, as amended, shall upon conviction of the person or persons from whom seized be confiscated by and forfeited to the United States; and the Secretary is hereby authorized to deliver for medical or scientific purposes to any department, bureau, or other agency of the United States Government, upon proper application therefor under such regulation as may be prescribed by the Commissioner, with the approval of the Secretary, any of the drugs so seized, confiscated, and forfeited to the United States.

The provisions of this section shall also apply to any of the aforesaid drugs seized or coming into the possession of the United States in the enforcement of any of the above-mentioned Acts where the owner or owners thereof are unknown. None of the aforesaid drugs coming into possession of the United States under the operation of said Acts, or the provisions of this section, shall be destroyed without certification by a committee appointed by the Commissioner, with the approval of the Secretary, that they are of no value for medical or scientific purposes.

## TITLE XI.—STAMP TAXES.

SEC. 1100. That on and after January 1, 1922, there shall be levied, collected, and paid, for and in respect of the several bonds, debentures, or certificates of stock and of indebtedness, and other documents, instruments, matters, and things mentioned and described in Schedule A of this title, or for or in respect of the vellum, parchment, or paper upon which such instruments, matters, or things, or any of them, are written or printed, by any person who makes, signs, issues, sells, removes, consigns, or ships the same, or for whose use or benefit the same are made, signed, issued, sold, removed, consigned, or shipped, the several taxes specified in such schedule. The taxes imposed by this section shall, in the case of any article upon which a corresponding stamp tax is now imposed by law, be in lieu of such tax.

SEC. 1101. That there shall not be taxed under this title any bond, note, or other instrument, issued by the United States, or by any foreign Government, or by any State, Territory, or the District of Columbia, or local subdivision thereof, or municipal or other corporation exercising the taxing power; or any bond of indemnity required to be filed by any person to secure payment of any pension, allowance, allotment, relief, or insurance by the United States, or to secure a duplicate for, or the payment of, any bond, note, certificate of indebtedness, war-savings certificate, warrant or check, issued by the United States; or stocks and bonds issued by cooperative building and loan associations which are organized and operated exclusively

TAX ON NARCOTICS.  
Vol. 38, p. 788.  
Registry and payment of tax required.

Decocainized preparations, etc., not affected.

Confiscation of seized narcotics.

Vol. 26, p. 621.  
Vol. 26, p. 605; Vol. 35, p. 614; Vol. 38, pp. 275, 785; Vol. 40, p. 1130.

Delivery for Government uses, etc.

Applicable to seizures from unknown owners.

Destruction restricted.

## STAMP TAXES.

On bonds, written documents, etc., in Schedule A.

Vol. 40, p. 1135.  
Post, p. 303.

In lieu of present tax.  
Vol. 40, p. 1135.

Exceptions.  
Government, State, etc., securities.

Bonds of indemnity to United States.

By mutual building and loan associations.



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| STAMP TAXES.  | for the benefit of their members and make loans only to their shareholders, or by mutual ditch or irrigation companies.  |
| Offenses designated. Issuing unstamped papers, etc. | SEC. 1102. That whoever—<br>(a) Makes, signs, issues, or accepts, or causes to be made, signed, issued, or accepted, any instrument, document, or paper of any kind or description whatsoever without the full amount of tax thereon being duly paid;  |
| Dealing in articles not fully stamped.              | (b) Manufactures or imports and sells, or offers for sale, or causes to be manufactured or imported and sold, or offered for sale, any playing cards, package, or other article without the full amount of tax being duly paid;  |
| Using uncanceled stamps.                            | (c) Makes use of any adhesive stamp to denote any tax imposed by this title without canceling or obliterating such stamp as prescribed in section 1104;  |
| Penalty.  | Is guilty of a misdemeanor and upon conviction thereof shall pay a fine of not more than \$100 for each offense.   |
| Fraudulently removing, etc., stamps.                | SEC. 1103. That whoever—<br>(a) Fraudulently cuts, tears, or removes from any vellum, parchment, paper, instrument, writing, package, or article, upon which any tax is imposed by this title, any adhesive stamp or the impression of any stamp, die, plate, or other article provided, made, or used in pursuance of this title;   |
| Reusing stamps.                                     | (b) Fraudulently uses, joins, fixes, or places to, with, or upon any vellum, parchment, paper, instrument, writing, package, or article, upon which any tax is imposed by this title, (1) any adhesive stamp, or the impression of any stamp, die, plate, or other article, which has been cut, torn, or removed from any other vellum, parchment, paper, instrument, writing, package, or article, upon which any tax is imposed by this title; or (2) any adhesive stamp or the impression of any stamp, die, plate, or other article of insufficient value; or (3) any forged or counterfeited stamp, or the impression of any forged or counterfeited stamp, die, plate, or other article; |
| Using insufficient stamps.                          | (c) Willfully removes, or alters the cancellation, or defacing marks of, or otherwise prepares, any adhesive stamp, with intent to use, or cause the same to be used, after it has been already used, or knowingly or willfully buys, sells, offers for sale, or gives away, any such washed or restored stamp to any person for use, or knowingly uses the same;  |
| Counterfeits, etc.                                  | (d) Knowingly and without lawful excuse (the burden of proof of such excuse being on the accused) has in possession any washed, restored, or altered stamp, which has been removed from any vellum, parchment, paper, instrument, writing, package, or article;  |
| Removing, etc., stamps for unlawful uses.           | Is guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than five years, or both, and any such reused, canceled, or counterfeited stamp and the vellum, parchment, document, paper, package, or article upon which it is placed or impressed shall be forfeited to the United States.  |
| Possessing washed, etc., stamps, knowingly.         | SEC. 1104. That whenever an adhesive stamp is used for denoting any tax imposed by this title, except as hereinafter provided, the person using or affixing the same shall write or stamp or cause to be written or stamped thereupon the initials of his or its name and the date upon which the same is attached or used, so that the same may not again be used: <i>Provided</i> , That the Commissioner may prescribe such other method for the cancellation of such stamps as he may deem expedient.  |
| Punishment.   | SEC. 1105. (a) That the Commissioner shall cause to be prepared and distributed for the payment of the taxes prescribed in this title suitable stamps denoting the tax on the document, articles, or thing to which the same may be affixed, and shall prescribe such method for   |
| Forfeiture of articles, etc.                        |  |
| Method of cancellation.                             |  |
| <i>Proviso.</i> Use of other methods.               |  |
| Preparation, etc., of stamps.                       |  |
| Method of affixing.                                 |  |

the affixing of said stamps in substitution for or in addition to the method provided in this title, as he may deem expedient.

(b) All internal revenue laws relating to the assessment and collection of taxes are hereby extended to and made a part of this title, so far as applicable, for the purpose of collecting stamp taxes omitted through mistake or fraud from any instrument, document, paper, writing, parcel, package, or article named herein.

SEC. 1106. That the Commissioner shall furnish to the Postmaster General without prepayment a suitable quantity of adhesive stamps to be distributed to and kept on sale by the various postmasters in the United States. The Postmaster General may require each such postmaster to give additional or increased bond as postmaster for the value of the stamps so furnished, and each such postmaster shall deposit the receipts from the sale of such stamps to the credit of and render accounts to the Postmaster General at such times and in such form as he may by regulations prescribe. The Postmaster General shall at least once monthly transfer all collections from this source to the Treasury as internal-revenue collections.

SEC. 1107. (a) That each collector shall furnish, without prepayment, to any assistant treasurer or designated depository of the United States, located in the district of such collector, a suitable quantity of adhesive stamps to be kept on sale by such assistant treasurer or designated depository.

(b) Each collector shall furnish, without prepayment, to any person who is (1) located in the district of such collector, (2) duly appointed and acting as agent of any State for the sale of stock transfer stamps of such State, and (3) designated by the Commissioner for the purpose, a suitable quantity of such adhesive stamps as are required by subdivisions 2, 3, and 4 of Schedule A of this title, to be kept on sale by such person.

(c) In such cases the collector may require a bond, with sufficient sureties, in a sum to be fixed by the Commissioner, conditioned for the faithful return, whenever so required, of all quantities or amounts undisposed of, and for the payment monthly of all quantities or amounts sold or not remaining on hand. The Secretary may from time to time make such regulations as he may find necessary to insure the safe-keeping or prevent the illegal use of all such adhesive stamps.

#### SCHEDULE A.—STAMP TAXES.

1. Bonds of indebtedness: On all bonds, debentures, or certificates of indebtedness issued by any person, and all instruments, however termed, issued by any corporation with interest coupons or in registered form, known generally as corporate securities, on each \$100 of face value or fraction thereof, 5 cents: *Provided*, That every renewal of the foregoing shall be taxed as a new issue: *Provided further*, That when a bond conditioned for the repayment or payment of money is given in a penal sum greater than the debt secured, the tax shall be based upon the amount secured.

2. Capital stock, issued: On each original issue, whether on organization or reorganization, of certificates of stock, or of profits, or of interest in property or accumulations, by any corporation, on each \$100 of face value or fraction thereof, 5 cents: *Provided*, That where a certificate is issued without face value, the tax shall be 5 cents per share, unless the actual value is in excess of \$100 per share, in which case the tax shall be 5 cents on each \$100 of actual value or fraction thereof, or unless the actual value is less than \$100 per share, in which case the tax shall be 1 cent on each \$20 of actual value, or fraction thereof.

#### STAMP TAXES.

General laws made applicable for mistakes, etc.

Sales of stamps, by postmasters.

Accountability.

Transfers of collections.

Sales by assistant treasurers, or depositories.

Sales by designated State agents, for stock transfers.

Surety bonds may be required.

Regulations.

Schedule A.

Bonds of indebtedness, etc.

Provisos.  
Renewals.  
Basis of tax.

Capital stock.  
Original issues.

Proviso.  
Without face value.

**STAMP TAXES.**  
Attached to stock  
book.  
Sales, or transfers of  
stock, etc.

*Proviso.*  
Deposits as collateral  
exempt.

Brokers' deliveries,  
etc., exempt.

Affixing stamps.  
In books.

On certificates.  
On bills of sale, etc.

Details required.

Punishment for sales,  
etc., without stamps.

Exchange sales, etc.,  
of produce for future  
delivery.

*Ante*, p. 187.

*Proviso.*  
Stamped bills of sale  
required.

Clearing house trans-  
fers not again stamped.

The stamps representing the tax imposed by this subdivision shall be attached to the stock books and not to the certificates issued.

3. Capital stock, sales or transfers: On all sales, or agreements to sell, or memoranda of sales or deliveries of, or transfers of legal title to shares or certificates of stock or of profits or of interest in property or accumulations in any corporation, or to rights to subscribe for or to receive such shares or certificates, whether made upon or shown by the books of the corporation, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale, whether entitling the holder in any manner to the benefit of such stock, interest, or rights, or not, on each \$100 of face value or fraction thereof, 2 cents, and where such shares are without par or face value, the tax shall be 2 cents on the transfer or sale or agreement to sell on each share: *Provided*, That it is not intended by this title to impose a tax upon an agreement evidencing a deposit of certificates as collateral security for money loaned thereon, which certificates are not actually sold, nor upon the delivery or transfer for such purpose of certificates so deposited, nor upon mere loans of stock nor upon the return of stock so loaned: *Provided further*, That the tax shall not be imposed upon deliveries or transfers to a broker for sale, nor upon deliveries or transfers by a broker to a customer for whom and upon whose order he has purchased same, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That in case of sale where the evidence of transfer is shown only by the books of the corporation the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. Any person liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person, who makes any such sale, or who in pursuance of any such sale delivers any certificate or evidence of the sale of any stock, interest or right, or bill or memorandum thereof, as herein required, without having the proper stamps affixed thereto with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding \$1,000, or be imprisoned not more than six months, or both.

4. Produce, sales of, on exchange: Upon each sale, agreement of sale, or agreement to sell (not including so-called transferred or scratch sales), any products or merchandise at, or under the rules or usages of, any exchange, or board of trade, or other similar place, for future delivery, for each \$100 in value of the merchandise covered by said sale or agreement of sale or agreement to sell, 2 cents, and for each additional \$100 or fractional part thereof in excess of \$100, 2 cents: *Provided*, That on every sale or agreement of sale or agreement to sell as aforesaid there shall be made and delivered by the seller to the buyer a bill, memorandum, agreement, or other evidence of such sale, agreement of sale, or agreement to sell, to which there shall be affixed a lawful stamp or stamps in value equal to the amount of the tax on such sale: *Provided further*, That sellers of commodities described herein, having paid the tax provided by this subdivision, may transfer such contracts to a clearing-house corporation or association, and such transfer shall not be deemed to be a sale, or agreement

of sale, or an agreement to sell within the provisions of this Act, provided that such transfer shall not vest any beneficial interest in such clearing-house association but shall be made for the sole purpose of enabling such clearing-house association to adjust and balance the accounts of the members of such clearing-house association on their several contracts. Every such bill, memorandum, or other evidence of sale or agreement to sell shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers; and any person liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person, who makes any such sale or agreement of sale, or agreement to sell, or who, in pursuance of any such sale, agreement of sale, or agreement to sell, delivers any such products or merchandise without a bill, memorandum, or other evidence thereof as herein required, or who delivers such bill, memorandum, or other evidence of sale, or agreement to sell, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding \$1,000 or be imprisoned not more than six months, or both.

No bill, memorandum, agreement, or other evidence of such sale, or agreement of sale, or agreement to sell, in case of cash sales of products or merchandise for immediate or prompt delivery which in good faith are actually intended to be delivered shall be subject to this tax.

This subdivision shall not affect but shall be in addition to the provisions of the "United States cotton futures Act," approved August 11, 1916, as amended, and "The Future Trading Act," approved August 24, 1921.

5. Drafts or checks (payable otherwise than at sight or on demand) upon their acceptance or delivery within the United States whichever is prior, promissory notes, except bank notes issued for circulation, and for each renewal of the same, for a sum not exceeding \$100, 2 cents; and for each additional \$100, or fractional part thereof, 2 cents.

This subdivision shall not apply to a promissory note secured by the pledge of bonds or obligations of the United States issued after April 24, 1917, or secured by the pledge of a promissory note which itself is secured by the pledge of such bonds or obligations: *Provided*, That in either case the par value of such bonds or obligations shall be not less than the amount of such note.

6. Conveyances: Deed, instrument, or writing, whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his, her, or their direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds \$100 and does not exceed \$500, 50 cents; and for each additional \$500 or fractional part thereof, 50 cents. This subdivision shall not apply to any instrument or writing given to secure a debt.

7. Entry of any goods, wares, or merchandise at any customhouse, either for consumption or warehousing, not exceeding \$100 in value, 25 cents; exceeding \$100 and not exceeding \$500 in value, 50 cents; exceeding \$500 in value, \$1.

8. Entry for the withdrawal of any goods or merchandise from customs bonded warehouse, 50 cents.

9. Passage ticket, one way or round trip, for each passenger, sold or issued in the United States for passage by any vessel to a port or place not in the United States, Canada, or Mexico, if costing not exceeding \$30, \$1; costing more than \$30 and not exceeding \$60, \$3; costing

## STAMP TAXES.

Condition.

Contents of bills of sale.

Penalty for delivery, etc., without stamped bill.

Cash immediate sales not taxable.

Additional to specified taxes.

Vol. 39, p. 476.

Act, p. 187.

Drafts, promissory notes, etc.

Not taxed if with Liberty bonds for collateral.

Proviso. Condition.

Conveyances of realty.

Trust deeds exempt.

Customhouse entries.

Warehouse withdrawals.

Foreign passage tickets.

Places exempted.

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| <b>STAMP TAXES.</b>   | more than \$60, \$5. This subdivision shall not apply to passage tickets costing \$10 or less.   |
| Exemption.  |  |
| Proxies.  | 10. Proxy for voting at any election for officers, or meeting for the transaction of business, of any corporation, except religious, educational, charitable, fraternal, or literary societies, or public cemeteries, 10 cents.  |
| Exceptions.   |  |
| Powers of attorney.   | 11. Power of attorney granting authority to do or perform some act for or in behalf of the grantor, which authority is not otherwise vested in the grantee, 25 cents. This subdivision shall not apply to any papers necessary to be used for the collection of claims from the United States or from any State for pensions, back pay, bounty, or for property lost in the military or naval service, nor to powers of attorney required in bankruptcy cases nor to powers of attorney contained in the application of those who become members of or policyholders in mutual insurance companies doing business on the inter-insurance or reciprocal indemnity plan through an attorney in fact.   |
| In pension claims, bankruptcy, etc., exempt.                                  |  |
| Mutual insurance applications.  | 12. Playing cards: Upon every pack of playing cards containing not more than fifty-four cards, manufactured or imported, and sold, or removed for consumption or sale, a tax of 8 cents per pack.  |
| Playing cards.  | 13. On each policy of insurance, or certificate, binder, covering note, memorandum, cablegram, letter, or other instrument by whatever name called whereby insurance is made or renewed upon property within the United States (including rents and profits) against peril by sea or on inland waters or in transit on land (including transshipments and storage at termini or way points) or by fire, lightning, tornado, wind-storm, bombardment, invasion, insurrection or riot, issued to or for or in the name of a domestic corporation or partnership or an individual resident of the United States by any foreign corporation or partnership or any individual not a resident of the United States, when such policy or other instrument is not signed or countersigned by an officer or agent of the insurer in a State, Territory, or District of the United States within which such insurer is authorized to do business, a tax of 3 cents on each dollar, or fractional part thereof of the premium charged: <i>Provided</i> , That policies of reinsurance shall be exempt from the tax imposed by this subdivision. |
| Insurance on property by foreign corporations without agent in United States. |  |
| Proviso.  | Any person to or for whom or in whose name any such policy or other instrument is issued, or any solicitor or broker acting for or on behalf of such person in the procurement of any such policy or other instrument, shall affix the proper stamps to such policy or other instrument, and for failure to affix such stamps with intent to evade the tax shall, in addition to other penalties provided therefor, pay a fine of double the amount of the tax.  |
| Reinsurance exempt.   |  |
| Affixing of stamps.   |  |
| Penalty for failure.  |  |

#### CHILD LABOR TAX. TITLE XII.—TAX ON EMPLOYMENT OF CHILD LABOR.

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| Excise tax on net profits of business using prohibited labor. Ages, etc., designated. | SEC. 1200. That every person (other than a bona fide boys' or girls' canning club recognized by the Agricultural Department of a State and of the United States) operating (a) any mine or quarry situated in the United States in which children under the age of sixteen years have been employed or permitted to work during any portion of the taxable year; or (b) any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of fourteen years have been employed or permitted to work, or children between the ages of fourteen and sixteen have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of seven o'clock post meridian, or before the hour of six o'clock ante meridian, during any portion of the taxable year, shall pay for each taxable year, in addition to all other taxes imposed by law (but in |
| Vol. 39, p. 675.  |  |

lieu of the tax imposed by section 1200 of the Revenue Act of 1918), an excise tax equivalent to 10 per centum of the entire net profits received or accrued for such year from the sale or disposition of the product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment.

SEC. 1201. That in computing net profits under the provisions of this title, for the purpose of the tax there shall be allowed as deductions from the gross amount received or accrued for the taxable year from the sale or disposition of such products manufactured within the United States the following items:

- (a) The cost of raw materials entering into the production;
- (b) Running expenses, including rentals, cost of repairs, and maintenance, heat, power, insurance, management, and a reasonable allowance for salaries or other compensations for personal services actually rendered, and for depreciation;
- (c) Interest paid within the taxable year on debts or loans contracted to meet the needs of the business, and the proceeds of which have been actually used to meet such needs;
- (d) Taxes of all kinds paid during the taxable year with respect to the business or property relating to the production; and
- (e) Losses actually sustained within the taxable year in connection with the business of producing such products, including losses from fire, flood, storm, or other casualties, and not compensated for by insurance or otherwise.

SEC. 1202. That if any such person during any taxable year or part thereof, whether under any agreement, arrangement, or understanding or otherwise, sells or disposes of any product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment at less than the fair market price obtainable therefor either (a) in such manner as directly or indirectly to benefit such person or any person directly or indirectly interested in the business of such person; or (b) with intent to cause such benefit; the gross amount received or accrued for such year or part thereof from the sale or disposition of such product shall be taken to be the amount which would have been received or accrued from the sale or disposition of such product if sold at the fair market price.

SEC. 1203. (a) That no person subject to the provisions of this title shall be liable for the tax herein imposed if the only employment or permission to work which but for this section would subject him to the tax has been of a child as to whom such person has in good faith procured at the time of employing such child or permitting him to work, and has since in good faith relied upon and kept on file a certificate, issued in such form, under such conditions and by such persons as may be prescribed by a board consisting of the Secretary, the Commissioner, and the Secretary of Labor, showing the child to be of such age as not to subject such person to the tax imposed by this title. Any person who knowingly makes a false statement or presents false evidence in or in relation to any such certificate or application therefor shall be punished by a fine of not less than \$100, nor more than \$1,000, or by imprisonment for not more than three months, or by both such fine and imprisonment, in the discretion of the court.

In any State designated by such board an employment certificate or other similar paper as to the age of the child, issued under the laws of that State, and not inconsistent with the provisions of this title, shall have the same force and effect as a certificate herein provided for.

(b) The tax imposed by this title shall not be imposed in the case of any person who proves to the satisfaction of the Secretary that the only employment or permission to work which but for this sec-

CHILD LABOR TAX.  
Vol. 40, p. 1138.  
Rate.

Net profits computed.  
Deductions allowed.

Raw materials.  
Operating expenses.

Interest on business debts.

Business taxes.

Losses.

Sales for personal benefit at less than market price.

Computation of gross amount from.

No liability if employer has certificate permitting child to work, etc.

Punishment for false statement as to certificates, etc.

State certificates effective.

Allowance for unintentional mistakes, etc.

**CHILD LABOR TAX.**

Yearly returns to collector.

Contents.

Assessment and payment of tax.

Inspection of premises.

Form of report.

Punishment for obstructing inspection.

"Taxable year" defined.  
*Act*, p. 227.

Administrative provisions.

Laws made applicable.

General internal revenue laws.

Vol. 40, p. 1142.

Collecting tax.

Discretionary use of methods allowed.

tion would subject him to the tax, has been of a child employed or permitted to work under a mistake of fact as to the age of such child, and without intention to evade the tax.

SEC. 1204. That on or before the first day of the third month following the close of each taxable year, a true and accurate return under oath shall be made by each person subject to the provisions of this title to the collector for the district in which such person has his principal office or place of business, in such form as the Commissioner, with the approval of the Secretary, shall prescribe, setting forth specifically the gross amount of income received or accrued during such year from the sale or disposition of the product of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment, in which children have been employed subjecting him to the tax imposed by this title, and from the total thereof deducting the aggregate items of allowance authorized by this title, and such other particulars as to the gross receipts and items of allowance as the Commissioner, with the approval of the Secretary, may require.

SEC. 1205. That all such returns shall be transmitted forthwith by the collector to the Commissioner, who shall, as soon as practicable, assess the tax found due and notify the person making such return of the amount of tax for which such person is liable, and such person shall pay the tax to the collector on or before thirty days from the date of such notice.

SEC. 1206. That for the purposes of this Act the Commissioner, or any person duly authorized by him, shall have authority to enter and inspect at any time any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment. The Secretary of Labor, or any person duly authorized by him, shall, for the purpose of complying with a request of the Commissioner to make such an inspection, have like authority, and shall make report to the Commissioner of inspections made under such authority in such form as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury.

Any person who refuses or obstructs entry or inspection authorized by this section shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.

SEC. 1207. That as used in this title the term "taxable year" shall have the same meaning as provided for the purposes of income tax in section 200.

**TITLE XIII.—GENERAL ADMINISTRATIVE PROVISIONS.****LAWS MADE APPLICABLE.**

SEC. 1300. That all administrative, special, or stamp provisions of law, including the law relating to the assessment of taxes, so far as applicable, are hereby extended to and made a part of this Act, and every person liable to any tax imposed by this Act, or for the collection thereof, shall keep such records and render, under oath, such statements and returns, and shall comply with such regulations as the Commissioner, with the approval of the Secretary, may from time to time prescribe.

**METHOD OF COLLECTING TAX.**

SEC. 1301. That whether or not the method of collecting any tax imposed by Titles V, VI, VII, VIII, IX, or X of this Act is specifically provided therein, any such tax may, under regulations prescribed by the Commissioner with the approval of the Secretary, be collected by stamp, coupon, serial-numbered ticket, or such other reasonable device or method as may be necessary or helpful in secur-

ing a complete and prompt collection of the tax. All administrative and penalty provisions of Title XI, in so far as applicable, shall apply to the collection of any tax which the Commissioner determines or prescribes shall be collected in such manner.

REVENUE ACT OF 1921.  
All stamp tax penalties, etc., applicable.

## PENALTIES.

## Penalties.

SEC. 1302. (a) That any person required under Titles V, VI, VII, VIII, IX, X, or XII, to pay, or to collect, account for and pay over any tax, or required by law or regulations made under authority thereof to make a return or supply any information for the purposes of the computation, assessment, or collection of any such tax, who fails to pay, collect, or truly account for and pay over any such tax, make any such return or supply any such information at the time or times required by law or regulation shall in addition to other penalties provided by law be subject to a penalty of not more than \$1,000.

For failure to pay tax, make returns, etc., of other than income and stamp taxes.

(b) Any person who willfully refuses to pay, collect, or truly account for and pay over any such tax, make such return or supply such information at the time or times required by law or regulation, or who willfully attempts in any manner to evade such tax shall be guilty of a misdemeanor and in addition to other penalties provided by law shall be fined not more than \$10,000 or imprisoned for not more than one year, or both, together with the costs of prosecution.

Punishment for willful refusals, evasions, etc.

(c) Any person who willfully refuses to pay, collect, or truly account for and pay over any such tax shall in addition to other penalties provided by law be liable to a penalty of the amount of the tax evaded, or not paid, collected, or accounted for and paid over, to be assessed and collected in the same manner as taxes are assessed and collected: *Provided, however,* That no penalty shall be assessed under this subdivision for any offense for which a penalty may be assessed under authority of section 3176 of the Revised Statutes, as amended, or for any offense for which a penalty has been recovered under section 3256 of the Revised Statutes.

Additional tax penalty for willful refusal to pay tax, etc.

(d) The term "person" as used in this section includes an officer or employee of a corporation or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

*Proviso.*  
Exception.  
Post, p. 313.

R. S., sec. 3256, p. 627.

"Person" liable for acts.

## RULES AND REGULATIONS.

## Rules and regulations.

SEC. 1303. That the Commissioner, with the approval of the Secretary, is hereby authorized to make all needful rules and regulations for the enforcement of the provisions of this Act.

Authorized for enforcement.

The Commissioner, with such approval may by regulation provide that any return required by Titles V, VI, VII, VIII, IX, or X to be under oath may, if the amount of the tax covered thereby is not in excess of \$10, be signed or acknowledged before two witnesses instead of under oath.

Acknowledgments without oath.

## OVERPAYMENTS AND OVERCOLLECTIONS.

## Overpayments and overcollections.

SEC. 1304. That in the case of any overpayment or overcollection of any tax imposed by section 602 or by Title V, Title VIII, or Title IX, the person making such overpayment or overcollection may take credit therefor against taxes due upon any monthly return, and shall make refund of any excessive amount collected by him upon proper application by the person entitled thereto.

Credits or refunds allowed for.



## REVENUE ACT OF 1921.

## Articles exported.

Beverages, tobacco, etc., taxes, not applicable if exported.

Refund to exporter if collected.

Fractions of a cent.

Provisions for.

Returns.

May be required from any person.

Examination of books and witnesses.

Powers conferred to secure information.

Unnecessary examinations.

Restriction on making.

Jurisdiction of courts.

Powers conferred to secure testimony, etc.

Issue of process, etc.

## ARTICLES EXPORTED.

SEC. 1305. That under such rules and regulations as the Commissioner with the approval of the Secretary may prescribe, the taxes imposed under the provisions of Titles VI, VII or IX shall not apply in respect to articles sold or leased for export and in due course so exported. Under such rules and regulations the amount of any internal-revenue tax erroneously or illegally collected in respect to exported articles may be refunded to the exporter of the article, instead of to the manufacturer, if the manufacturer waives any claim for the amount so to be refunded.

## FRACTIONAL PARTS OF A CENT.

SEC. 1306. That in the payment of any tax under this Act not payable by stamp a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

## RETURNS.

SEC. 1307. That whenever in the judgment of the Commissioner necessary he may require any person, by notice served upon him, to make a return or such statements as he deems sufficient to show whether or not such person is liable to tax.

## EXAMINATION OF BOOKS AND WITNESSES.

SEC. 1308. That the Commissioner, for the purpose of ascertaining the correctness of any return or for the purpose of making a return where none has been made, is hereby authorized, by any revenue agent or inspector designated by him for that purpose, to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return, and may require the attendance of the person rendering the return or of any officer or employee of such person, or the attendance of any other person having knowledge in the premises, and may take his testimony with reference to the matter required by law to be included in such return, with power to administer oaths to such person or persons.

## UNNECESSARY EXAMINATIONS.

SEC. 1309. That no taxpayer shall be subjected to unnecessary examinations or investigations, and only one inspection of a taxpayer's books of account shall be made for each taxable year unless the taxpayer requests otherwise or unless the Commissioner, after investigation, notifies the taxpayer in writing that an additional inspection is necessary.

## JURISDICTION OF COURTS.

SEC. 1310. (a) That if any person is summoned under this Act to appear, to testify, or to produce books, papers or other data, the district court of the United States for the district in which such person resides shall have jurisdiction by appropriate process to compel such attendance, testimony, or production of books, papers, or other data. (b) The district courts of the United States at the instance of the United States are hereby invested with such jurisdiction to make and issue, both in actions at law and suits in equity, writs and orders of injunction, and of ne exeat republica, orders appointing receivers,

and such other orders and process, and to render such judgments and decrees, granting in proper cases both legal and equitable relief together, as may be necessary or appropriate for the enforcement of the provisions of this Act. The remedies hereby provided are in addition to and not exclusive of any and all other remedies of the United States in such courts or otherwise to enforce such provisions.

(c) Paragraph "Twentieth" of section 24 of the Judicial Code is amended by adding at the end thereof the following new paragraph: "Concurrent with the Court of Claims; of any suit or proceeding, commenced after the passage of the Revenue Act of 1921, for the recovery of any internal-revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority or any sum alleged to have been excessive or in any manner wrongfully collected, under the internal-revenue laws, even if the claim exceeds \$10,000, if the collector of internal-revenue by whom such tax, penalty, or sum was collected is dead at the time such suit or proceeding is commenced."

REVENUE ACT OF 1921.

Additional to other enforcement remedies.

District courts.  
Vol. 36, p. 1098, amended.  
Current jurisdiction with Court of Claims for recovering erroneously collected taxes, etc., if collector dead.

## AMENDMENTS TO REVISED STATUTES.

Revised Statutes.

SEC. 1311. That sections 3164, 3165, 3167, 3172, 3173, and 3176 of the Revised Statutes, as amended, are reenacted, without change, as follows:

"SEC. 3164. It shall be the duty of every collector of internal revenue having knowledge of any willful violation of any law of the United States relating to the revenue, within thirty days after coming into possession of such knowledge, to file with the district attorney of the district in which any fine, penalty, or forfeiture may be incurred, a statement of all the facts and circumstances of the case within his knowledge, together with the names of the witnesses, setting forth the provisions of law believed to be so violated on which reliance may be had for condemnation or conviction.

"SEC. 3165. Every collector, deputy collector, internal-revenue agent, and internal-revenue officer assigned to duty under an internal-revenue agent, is authorized to administer oaths and to take evidence touching any part of the administration of the internal-revenue laws with which he is charged, or where such oaths and evidence are authorized by law or regulation authorized by law to be taken.

"SEC. 3167. It shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employee of the United States to divulge or to make known in any manner whatever not provided by law to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income return, or any part thereof or source of income, profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the United States he shall be dismissed from office or discharged from employment.

"SEC. 3172. Every collector shall, from time to time, cause his deputies to proceed through every part of his district and inquire after and concerning all persons therein who are liable to pay any internal-revenue tax, and all persons owning or having the care and

Amendments to, in Act of 1913, reenacted.  
Vol. 40, pp. 1146-1148.

Collectors to report violations of internal revenue laws to district attorney in 30 days.  
R. S., sec. 3164, p. 606.

Revenue officials authorized to administer oaths, etc.  
R. S., sec. 3165, p. 606.

Divulging information received by revenue officials, unlawful.  
R. S., sec. 3167, p. 606.  
Vol. 39, p. 773.

From income returns.

Unauthorized publication of incomes, etc.

Punishment.

Dismissal of offenders.

Inquiries by deputy collectors.  
R. S., sec. 3172, p. 606.  
Vol. 39, p. 773.

## REVENUE ACT OF 1921.

Yearly returns required from taxpayers. R. S., sec., 3173, p. 609. Vol. 39, p. 774. Details specified.

*Provides.*  
By revenue officer with consent, etc., of party in default.

Notice to taxpayer not making returns, etc.

Summons if no, or false, etc., returns made.

Authority of district collector.

management of any objects liable to pay any tax, and to make a list of such persons and enumerate said objects.

"SEC. 3173. It shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, or other tax imposed by law, when not otherwise provided for, (1) in case of a special tax, on or before the thirty-first day of July in each year, and (2) in other cases before the day on which the taxes accrue, to make a list or return, verified by oath, to the collector or a deputy collector of the district where located, of the articles or objects, including the quantity of goods, wares, and merchandise, made or sold and charged with a tax, the several rates and aggregate amount, according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for which such person, partnership, firm, association, or corporation is liable: *Provided*, That if any person liable to pay any duty or tax, or owning, possessing, or having the care or management of property, goods, wares, and merchandise, article or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles, and objects liable to pay any duty or tax, or any business or occupation liable to pay any tax as aforesaid, then, and in that case, it shall be the duty of the collector or deputy collector to make such list or return, which, being distinctly read, consented to, and signed and verified by oath by the person so owning, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the collector or deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time the collector or a deputy collector shall call for the annual list or return, it shall be the duty of such collector or deputy collector to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office, a note or memorandum addressed to such person, requiring him or her to render to such collector or deputy collector the list or return required by law within ten days from the date of such note or memorandum, verified by oath. And if any person, on being notified or required as aforesaid, shall refuse or neglect to render such list or return within the time required as aforesaid, or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is erroneous, false, or fraudulent, or contains any undervaluation or understatement, or refuses to allow any regularly authorized Government officer to examine the books of such person, firm, or corporation, it shall be lawful for the collector to summon such person, or any other person having possession, custody, or care of books of account containing entries relating to the business of such person or any other person he may deem proper, to appear before him and produce such books at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects or income liable to tax or the returns thereof. The collector may summon any person residing or found within the State or Territory in which his district lies; and when the person intended to be summoned does not reside and can not be found within such State or Territory, he may enter any collection district where such person may be found and there make the examination herein authorized. And to this end he may there exercise all the authority which he might lawfully exercise in the district for which he was com-

SIXTY-SEVENTH CONGRESS. Sess. I. CH. 136. 1921.

missioned: *Provided*, That 'person,' as used in this section, shall be construed to include any corporation, joint-stock company or association, or insurance company when such construction is necessary to carry out its provisions.

"SEC. 3176. If any person, corporation, company, or association fails to make and file a return or list at the time prescribed by law or by regulation made under authority of law, or makes, willfully or otherwise, a false or fraudulent return or list, the collector or deputy collector shall make the return or list from his own knowledge and from such information as he can obtain through testimony or otherwise. In any such case the Commissioner may, from his own knowledge and from such information as he can obtain through testimony or otherwise, make a return or amend any return made by a collector or deputy collector. Any return or list so made and subscribed by the Commissioner, or by a collector or deputy collector and approved by the Commissioner, shall be *prima facie* good and sufficient for all legal purposes.

"If the failure to file a return or list is due to sickness or absence, the collector may allow such further time, not exceeding thirty days, for making and filing the return or list as he deems proper.

"The Commissioner of Internal Revenue shall determine and assess all taxes, other than stamp taxes, as to which returns or lists are so made under the provisions of this section. In case of any failure to make and file a return or list within the time prescribed by law, or prescribed by the Commissioner of Internal Revenue or the collector in pursuance of law, the Commissioner of Internal Revenue shall add to the tax 25 per centum of its amount, except that when a return is filed after such time and it is shown that the failure to file it was due to a reasonable cause and not to wilful neglect, no such addition shall be made to the tax. In case a false or fraudulent return or list is willfully made, the Commissioner of Internal Revenue shall add to the tax 50 per centum of its amount.

"The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, falsity, or fraud, in which case the amount so added shall be collected in the same manner as the tax."

FINAL DETERMINATIONS AND ASSESSMENTS.

SEC. 1312. That if after a determination and assessment in any case the taxpayer has without protest paid in whole any tax or penalty, or accepted any abatement, credit, or refund based on such determination and assessment, and an agreement is made in writing between the taxpayer and the Commissioner, with the approval of the Secretary, that such determination and assessment shall be final and conclusive, then (except upon a showing of fraud or malfeasance or misrepresentation of fact materially affecting the determination or assessment thus made) (1) the case shall not be reopened or the determination and assessment modified by any officer, employee, or agent of the United States, and (2) no suit, action, or proceeding to annul, modify, or set aside such determination or assessment shall be entertained by any court of the United States.

ADMINISTRATIVE REVIEW.

SEC. 1313. That in the absence of fraud or mistake in mathematical calculation, the findings of facts in and the decision of the Commissioner upon (or in case the Secretary is authorized to approve the same, then after such approval) the merits of any claim presented

Return if no, or a made. E. S., sec. 610. Vol. 39, p. 775.

By Commissioner.

Legal effect thereof.

Extension for sickness or absence.

Assessment of tax by Commissioner.

Additional tax imposed.

Exception.

Increased rate if return false, etc.

Collection of added tax.

Final determinations and assessments.

Cases settled by written agreement with taxpayer, not to be reopened, etc.

Fraud, etc., excepted.

Administrative review.

Findings of fact and decisions of Commissioner, not subject to other review.

## REVENUE ACT OF 1911.

under or authorized by the internal-revenue laws shall not be subject to review by any other administrative officer, employee, or agent of the United States.

## Retroactive regulations.

No retroactive effect if decisions reversed, unless by order of court.

## RETROACTIVE REGULATIONS.

SEC. 1314. That in case a regulation or Treasury decision relating to the internal-revenue laws made by the Commissioner or the Secretary, or by the Commissioner with the approval of the Secretary, is reversed by a subsequent regulation or Treasury decision, and such reversal is not immediately occasioned or required by a decision of a court of competent jurisdiction, such subsequent regulation or Treasury decision may, in the discretion of the Commissioner, with the approval of the Secretary, be applied without retroactive effect.

## Refunds of taxes.

## REFUNDS.

## Sections reenacted.

Erroneously collected taxes, penalties, etc., to be refunded.  
R. S., sec. 3220, p. 618.  
Vol. 40, p. 1145.

SEC. 1315. That section 3220 of the Revised Statutes, as amended, is reenacted without change, as follows:

"SEC. 3220. The Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, is authorized to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, all penalties collected without authority, and all taxes that appear to be unjustly assessed or excessive in amount, or in any manner wrongfully collected; also to repay to any collector or deputy collector the full amount of such sums of money as may be recovered against him in any court, for any internal revenue taxes collected by him, with the cost and expenses of suit; also all damages and costs recovered against any assessor, assistant assessor, collector, deputy collector, agent, or inspector, in any suit brought against him by reason of anything done in the due performance of his official duty, and shall make report to Congress at the beginning of each regular session of Congress of all transactions under this section."

## Repayment of judgments against collectors.

## Damages against officials.

## Report to Congress.

## Erroneously collected taxes.

Time limit for presenting claims.  
R. S., sec. 3228, p. 620, amended.

SEC. 1316. That section 3228 of the Revised Statutes is amended to read as follows:

"SEC. 3228. All claims for the refunding or crediting of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty alleged to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected, must be presented to the Commissioner of Internal Revenue within four years next after payment of such tax, penalty, or sum."

## Applicable to claims under former Acts.

This section, except as modified by section 252, shall apply retroactively to claims for refund under the Revenue Act of 1916, the Revenue Act of 1917, and the Revenue Act of 1918.

Permanent appropriations.  
For refunding erroneously collected taxes, repealed.  
R. S., sec. 3689, p. 726, amended.  
Vol. 40, p. 1145.

SEC. 1317. That the paragraph of section 3689 of the Revised Statutes, as amended, reading as follows: "Refunding taxes illegally collected (internal revenue): To refund and pay back duties erroneously or illegally assessed or collected under the internal revenue laws," is repealed from and after June 30, 1920; and the Secretary of the Treasury shall submit for the fiscal year 1921, and annually thereafter, an estimate of appropriations to refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws.

## Estimates for, etc., to be submitted annually.

## Limitations upon suits and prosecutions.

## LIMITATIONS UPON SUITS AND PROSECUTIONS.

SEC. 1318. That section 3226 of the Revised Statutes is amended to read as follows:

"SEC. 3226. No suit or proceeding shall be maintained in any court for the recovery of any internal-revenue tax alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected, until a claim for refund or credit has been duly filed with the Commissioner of Internal Revenue, according to the provisions of law in that regard, and the regulations of the Secretary of the Treasury established in pursuance thereof. No such suit or proceeding shall be begun before the expiration of six months from the date of filing such claim unless the Commissioner renders a decision thereon within that time, nor after the expiration of five years from the date of the payment of such tax, penalty, or sum."

This section shall not affect any suit or proceeding instituted prior to the passage of this Act, but shall apply to all suits and proceedings instituted after the passage of this Act, whether or not barred by prior Acts of Congress.

SEC. 1319. That section 3227 of the Revised Statutes is hereby repealed but such repeal shall not affect any suit or proceeding instituted prior to the passage of this Act.

SEC. 1320. That no suit or proceeding for the collection of any internal revenue tax shall be begun after the expiration of five years from the time such tax was due, except in the case of fraud with intent to evade tax, or willful attempt in any manner to defeat or evade tax. This section shall not apply to suits or proceedings for the collection of taxes under section 250 of this Act, nor to suits or proceedings begun at the time of the passage of this Act.

SEC. 1321. (a) That the Act entitled "An Act to limit the time within which prosecutions may be instituted against persons charged with violating internal-revenue laws," approved July 5, 1884, is amended to read as follows:

"That no person shall be prosecuted, tried, or punished for any of the various offenses arising under the internal-revenue laws of the United States unless the indictment is found or the information instituted within three years next after the commission of the offense: *Provided*, That the time during which the person committing the offense is absent from the district wherein the same is committed shall not be taken as any part of the time limited by law for the commencement of such proceedings: *Provided further*, That the provisions of this Act shall not apply to offenses committed prior to its passage: *Provided further*, That where a complaint shall be instituted before a commissioner of the United States within the period above limited, the time shall be extended until the discharge of the grand jury at its next session within the district: *And provided further*, That this Act shall not apply to offenses committed by officers of the United States."

(b) Any prosecution or proceeding under an indictment found or information instituted prior to the passage of this Act shall not be affected in any manner by this amendment, but such prosecution or proceeding shall be subject to the limitations imposed by law prior to the passage of this Act.

#### ASSESSMENTS.

SEC. 1322. That all internal revenue taxes, except as provided in section 250 of this Act, shall, notwithstanding the provisions of section 3182 of the Revised Statutes or any other provision of law, be assessed within four years after such taxes became due, but in the case of fraud with intent to evade tax or willful attempt in any manner to defeat or evade tax, such tax may be assessed at any time.

REVENUE ACT OF 1921.  
Suits for recovery of erroneously collected taxes, etc., not allowed until claim filed therefor.  
R. S., sec. 3226, p. 619, amended.

Time limitations extended.

Prior suits not affected.

Former limitation repealed.  
R. S., sec. 3227, p. 619, repealed.

Time limit for suits to collect tax.

Except income taxes, etc.  
*Act*, p. 264.

Prosecutions for violating internal revenue laws.  
Vol. 28, p. 122, amended.

To be instituted within three years after offense committed.

*Proviso*.  
Absence from district not included.

Not applicable to prior offenses.

Complaints before a commissioner.

Government officers excepted.

Prior proceedings under former law, continued.

#### Assessments.

To be within four years, except income tax.  
R. S., sec. 3182, p. 611, amended.

Frauds excepted.

## REVENUE ACT OF 1921.

## Fraudulent returns.

R. S., sec. 3225, p. 619.  
Vol. 40, p. 1145.

Second assessments.  
No remission or recovery under, unless statement proven not willfully false, etc.

## FRAUDULENT RETURNS.

SEC. 1323. That section 3225 of the Revised Statutes of the United States, as amended, is reenacted without change as follows:

"SEC. 3225. When a second assessment is made in case of any list, statement, or return, which in the opinion of the collector or deputy collector was false or fraudulent, or contained any understatement or undervaluation, such assessment shall not be remitted, nor shall taxes collected under such assessment be refunded, or paid back, or recovered by any suit, unless it is proved that such list, statement, or return was not willfully false or fraudulent and did not contain any willful understatement or undervaluation."

## Interest allowances.

Rate on claims for refunds or credits.

## Conditions.

Additional assessment construed.

Judicial Code amendment.  
Vol. 36, p. 1141, amended.

Interest allowance on judgments of Court of Claims, limited.  
For erroneous internal revenue tax collections, etc., in any court.

## INTEREST ON REFUNDS AND JUDGMENTS.

SEC. 1324. (a) That upon the allowance of a claim for the refund of or credit for internal revenue taxes paid, interest shall be allowed and paid upon the total amount of such refund or credit at the rate of one-half of 1 per centum per month to the date of such allowance, as follows: (1) if such amount was paid under a specific protest setting forth in detail the basis of and reasons for such protest, from the time when such tax was paid, or (2) if such amount was not paid under protest but pursuant to an additional assessment, from the time such additional assessment was paid, or (3) if no protest was made and the tax was not paid pursuant to an additional assessment, from six months after the date of filing of such claim for refund or credit. The term "additional assessment" as used in this section means a further assessment for a tax of the same character previously paid in part.

(b) Section 177 of the Judicial Code is amended to read as follows:

"SEC. 177. No interest shall be allowed on any claim up to the time of the rendition of judgment by the Court of Claims, unless upon a contract expressly stipulating for the payment of interest, except that interest may be allowed in any judgment of any court rendered after the passage of the Revenue Act of 1921 against the United States for any internal-revenue tax erroneously or illegally assessed or collected, or for any penalty collected without authority or any sum which was excessive or in any manner wrongfully collected, under the internal-revenue laws."

## Payment of taxes.

Acceptance of Federal notes and certificates, and uncertified checks for other than stamp taxes.  
Vol. 40, p. 1145, amended.

## Liability for checks.

Frauds on purchasers.

## PAYMENT OF TAXES BY CHECK OR UNITED STATES SECURITIES.

SEC. 1325. That collectors may receive, at par with an adjustment for accrued interest, notes or certificates of indebtedness issued by the United States and uncertified checks in payment of income, war-profits and excess-profits taxes and any other taxes payable other than by stamp, during such time and under such regulations as the Commissioner, with the approval of the Secretary, shall prescribe; but if a check so received is not paid by the bank on which it is drawn the person by whom such check has been tendered shall remain liable for the payment of the tax and for all legal penalties and additions the same as if such check had not been tendered.

## FRAUDS ON PURCHASERS.

False statement as to effect of tax on price of article sold, etc., a misdemeanor.

SEC. 1326. That whoever in connection with the sale or lease, or offer for sale or lease, of any article, or for the purpose of making such sale or lease, makes any statement, written or oral, (1) intended or calculated to lead any person to believe that any part of the price at which such article is sold or leased, or offered for sale or lease,

consists of a tax imposed under the authority of the United States, or (2) ascribing a particular part of such price to a tax imposed under the authority of the United States, knowing that such statement is false or that the tax is not so great as the portion of such price ascribed to such tax, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000 or by imprisonment not exceeding one year, or both.

REVENUE ACT OF 1921.

Punishment for.

## TAX SIMPLIFICATION BOARD.

Tax Simplification Board.

SEC. 1327. (a) That there is hereby established in the Department of the Treasury a board to be known as the "Tax Simplification Board" (hereinafter in this section called the "Board"), to be composed as follows:

Established in Treasury Department.

(1) Three members who shall represent the public, to be appointed by the President; and

Public representatives.

(2) Three members who shall represent the Bureau of Internal Revenue and shall be officers or employees of the United States serving in such Bureau, to be appointed by the Secretary.

Internal Revenue Bureau representatives.

(b) Any vacancy in the Board shall be filled in the same manner as the original appointment. The members representing the public shall serve without compensation except reimbursement for traveling, subsistence, and other necessary expenses incurred in the performance of the duties vested in them by this section. The members representing the Bureau of Internal Revenue shall serve without compensation in addition to that received for their service in such Bureau.

Vacancies. Public representatives allowed traveling, etc., expenses.

(c) The Secretary shall furnish the Board with such clerical assistance, quarters and stationery, furniture, office equipment, and other supplies as may be necessary for the performance of the duties vested in them by this section.

Clerical assistance, supplies, etc.

(d) It shall be the duty of the Board to investigate the procedure of and the forms used by the Bureau in the administration of the internal revenue laws, and to make recommendations in respect to the simplification thereof. The Board shall make a report to the Congress on or before the first Monday of December in each year.

Duties.

(e) The expenditures of the Board shall be paid upon vouchers approved by the Board and signed by the chairman thereof. For the expenditures of the Board for the fiscal year ending June 30, 1922, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000.

Report to Congress.

(f) The Board shall cease to exist on December 31, 1924.

Control of expenses. Amount authorized.

Termination of.

## CONSOLIDATION OF LIBERTY BOND TAX EXEMPTIONS.

Liberty bonds.

SEC. 1328. That the various Acts authorizing the issues of Liberty bonds are amended and supplemented as follows:

Consolidation of tax exemptions on.

(a) On and after January 1, 1921, 4 per centum and 4½ per centum Liberty bonds shall be exempt from graduated additional income taxes, commonly known as surtaxes, and excess-profits and war-profits taxes, now or hereafter imposed by the United States upon the income or profits of individuals, partnerships, corporations, or associations, in respect to the interest on aggregate principal amounts thereof as follows:

Modification of allowances from graduated income taxes.

Until the expiration of two years after the date of the termination of the war between the United States and the German Government, as fixed by proclamation of the President, on \$125,000 aggregate principal amount; and for three years more on \$50,000 aggregate principal amount.

Until two years after proclaimed end of World War.

(b) The exemptions provided in subdivision (a) shall be in addition to the exemptions provided in section 7 of the Second Liberty Bond Act, and in addition to the exemption provided in subdivision

For three years more.

Additional to prior exemptions. Vol. 40, p. 291. Vol. 40, p. 986.



## REVENUE ACT OF 1921.

In lieu of exemptions during the war.  
Vol. 40, pp. 965, 1310.

(3) of section 1 of the Supplement to the Second Liberty Bond Act in respect to bonds issued upon conversion of 3½ per centum bonds, but shall be in lieu of the exemptions provided and free from the conditions and limitations imposed in subdivisions (1) and (2) of section 1 of the Supplement to Second Liberty Bond Act and in section 2 of the Victory Liberty Loan Act.

Federal bonds or notes.

## DEPOSIT OF UNITED STATES BONDS OR NOTES IN LIEU OF SURETY.

Accepted as penal bonds in lieu of personal sureties.

SEC. 1329. That wherever by the laws of the United States or regulations made pursuant thereto, any person is required to furnish any recognizance, stipulation, bond, guaranty, or undertaking, hereinafter called "penal bond", with surety or sureties, such person may, in lieu of such surety or sureties, deposit as security with the official having authority to approve such penal bond, United States Liberty bonds or other bonds or notes of the United States in a sum equal at their par value to the amount of such penal bond required to be furnished, together with an agreement authorizing such official to collect or sell such bonds or notes so deposited in case of any default in the performance of any of the conditions or stipulations of such penal bond. The acceptance of such United States bonds or notes in lieu of surety or sureties required by law shall have the same force and effect as individual or corporate sureties, or certified checks, bank drafts, post-office money orders, or cash, for the penalty or amount of such penal bond. The bonds or notes deposited hereunder, and such other United States bonds or notes as may be substituted therefor from time to time as such security, may be deposited with the Treasurer of the United States, a Federal reserve bank, or other depository duly designated for that purpose by the Secretary, which shall issue receipt therefor, describing such bonds or notes so deposited.

Legal effect.

Depositaries for, etc.

Return to depositor.

Provisions.  
Retention on default of contractor for public works.  
Vol. 33, p. 811.  
Vol. 28, p. 278.  
Application of sub-contractor, etc.

As soon as security for the performance of such penal bond is no longer necessary, such bonds or notes so deposited, shall be returned to the depositor: *Provided*, That in case a person or persons supplying a contractor with labor or material as provided by the Act of Congress, approved February 24, 1905 (33 Stat. 811), entitled "An Act to amend an Act approved August thirteenth, eighteen hundred and ninety-four, entitled 'An Act for the protection of persons furnishing materials and labor for the construction of public works,'" shall file with the obligee, at any time after a default in the performance of any contract subject to said Acts, the application and affidavit therein provided, the obligee shall not deliver to the obligor the deposited bonds or notes nor any surplus proceeds thereof until the expiration of the time limited by said Acts for the institution of suit by such person or persons, and, in case suit shall be instituted within such time, shall hold said bonds or notes or proceeds subject to the order of the court having jurisdiction thereof: *Provided further*, That nothing herein contained shall affect or impair the priority of the claim of the United States against the bonds or notes deposited or any right or remedy granted by said Acts or by this section to the United States for default upon any obligation of said penal bond:

Priority of United States not affected.

Inconsistent laws modified.

Judicial authority, etc., not affected.

Enforcement.

*Provided further*, That all laws inconsistent with this section are hereby so modified as to conform to the provisions hereof: *And provided further*, That nothing contained herein shall affect the authority of courts over the security, where such bonds are taken as security in judicial proceedings, or the authority of any administrative officer of the United States to receive United States bonds for security in cases authorized by existing laws. The Secretary may prescribe rules and regulations necessary and proper for carrying this section into effect.

## LOST STAMPS FOR TOBACCO, CIGARS, AND SO FORTH.

REVENUE ACT OF 1921.

Lost stamps, etc.

Restamping packages.

Issue authorized to replace stamps unavoidably lost, etc.  
 R. S., sec. 3315, p. 643.  
 Vol. 40, p. 1145.

SEC. 1330. That section 3315 of the Revised Statutes, as amended, is re-enacted without change, as follows:

"SEC. 3315. The Commissioner of Internal Revenue may, under regulations prescribed by him with the approval of the Secretary of the Treasury, issue stamps for restamping packages of distilled spirits, tobacco, cigars, snuff, cigarettes, fermented liquors, and wines which have been duly stamped but from which the stamps have been lost or destroyed by unavoidable accident."

## CONSOLIDATED RETURNS FOR YEAR 1917.

Consolidated returns, 1917.

War and excess profits tax on corporations and partnerships affiliated in 1917.  
 Vol. 40, p. 302.

SEC. 1331. (a) That Title II of the Revenue Act of 1917 shall be construed to impose the taxes therein mentioned upon the basis of consolidated returns of net income and invested capital in the case of domestic corporations and domestic partnerships that were affiliated during the calendar year 1917.

Affiliation construed. Owning all the stock of the others.

Owning by same interests.

Provided. If in same business, etc.

(b) For the purpose of this section a corporation or partnership was affiliated with one or more corporations or partnerships (1) when such corporation or partnership owned directly or controlled through closely affiliated interests or by a nominee or nominees all or substantially all the stock of the other or others, or (2) when substantially all the stock of two or more corporations or the business of two or more partnerships was owned by the same interests: *Provided*, That such corporations or partnerships were engaged in the same or a closely related business, or one corporation or partnership bought from or sold to another corporation or partnership products or services at prices above or below the current market, thus effecting an artificial distribution of profits, or one corporation or partnership in any way so arranged its financial relationships with another corporation or partnership as to assign to it a disproportionate share of net income or invested capital. For the purposes of this section, public service corporations which (1) were operated independently, (2) were not physically connected or merged and (3) did not receive special permission to make a consolidated return, shall not be construed to have been affiliated; but a railroad or other public utility which was owned by an industrial corporation and was operated as a plant facility or as an integral part of a group organization of affiliated corporations which were required to file a consolidated return, shall be construed to have been affiliated.

Application to public service corporations.

Railroads, etc., owned by industrial corporations, etc.

(c) The provisions of this section are declaratory of the provisions of Title II of the Revenue Act of 1917.

Declaratory effect of section.  
 Vol. 40, p. 302.

## ALTERNATIVE TAX ON PERSONAL SERVICE CORPORATIONS.

Personal service corporations.

SEC. 1332. (a) That if either subdivision (e) of section 218 of the Revenue Act of 1918 or subdivision (d) of section 218 of this Act is by final adjudication declared invalid, there shall, in addition to all other taxes, be levied, collected, and paid on the net income (as defined in section 232) received during the calendar years 1918, 1919, 1920, and 1921, by every personal service corporation (as defined in section 200) included within the provisions of such subdivisions, a tax equal to the taxes imposed by Titles II and III of the Revenue Act of 1918 and, in the case of income received during the calendar year 1921, by Titles II and III of this Act.

Additional tax on, for years 1918-1921, if present law declared invalid.  
 Vol. 40, p. 1070.  
*Ante*, pp. 245, 254.

Equal to corporation war and excess profits tax, etc.  
 Vol. 40, pp. 1058, 1068.  
*Ante*, p. 237, 271.

(b) In such event every such personal service corporation shall, on or before the fifteenth day of the sixth month following the date of entry of decree upon such final adjudication, make a return of any income received during each of the calendar years 1918, 1919, 1920,

Returns to be made on income for each of years 1918-1921.

## REVENUE ACT OF 1918.

On basis of corporation income tax.

Allowance of claims for credits or refunds.

Tax reduced if claims made by less than 80 per cent of stock.

Assessment, etc., as for corporation income, and war and excess profits taxes.  
Vol. 40, pp. 1075, 1088.

Ante, pp. 252, 272.

Interest limit.

Tax paid by shareholders may be credited to amount due from corporation.

Condition.

Time for filing claims for credits, etc.

Proviso.  
Tax not imposed if no claim filed.

General provisions.

Repeals.

Of parts of Revenue Act of 1918, at specified dates.

Income tax.  
Vol. 40, pp. 1058-1068.  
War and excess profits tax.  
Vol. 40, pp. 1089-1096.  
Estate tax.  
Vol. 40, pp. 1096-1101.  
Transportation tax, etc.  
Vol. 40, pp. 1101-1106.

and 1921 in the manner prescribed by the Revenue Act of 1918 (or in the manner prescribed by this Act, in the case of income received during the calendar year 1921). Such return shall be made and the net income shall be computed on the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in the manner provided for other corporations under the Revenue Act of 1918 and this Act.

(c) If either subdivision (e) of section 218 of the Revenue Act of 1918 or subdivision (d) of section 218 of this Act is so declared invalid, claims for credit or refund of taxes paid under both such sections shall be allowed, if made within the time provided in subdivision (f) of this section.

(d) In case the claims for credit or refund, filed within six months from such date of entry of decree, represent less than 80 per centum of the outstanding stock or shares in the corporation, the amount of taxes imposed by this section upon such corporation shall be reduced to that proportion thereof which the number of stock or shares owned by the shareholders or members making such claims bears to the total number of stock or shares outstanding.

(e) The tax imposed by this section shall be assessed, collected, and paid upon the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the taxes imposed by sections 230 and 301 of the Revenue Act of 1918 (or by sections 230 and 301 of this Act, in the case of income received during the calendar year 1921), but no interest or penalties shall be due or payable thereon for any period prior to the date upon which the return is by this section required to be made and the first installment paid. The amount of tax paid by any shareholder or member of a personal service corporation pursuant to the provisions of subdivision (e) of section 218 of the Revenue Act of 1918 or subdivision (d) of section 218 of this Act shall be credited against the tax due from such corporation under this section upon the joint written application of such corporation and such shareholder or member or his representatives, heirs, or assigns, if such application is filed with the Commissioner within six months from such date of entry of decree.

(f) Notwithstanding any other provision of law, no claim for a credit or refund of taxes paid under subdivision (e) of section 218 of the Revenue Act of 1918 or subdivision (d) of section 218 of this Act, may be filed after the expiration of six months from such date of entry of decree: *Provided, however*, That a personal service corporation of which no shareholder or member has filed such claim within such period of six months shall not be subject to the tax imposed by this section.

## TITLE XIV.—GENERAL PROVISIONS.

## REPEALS.

SEC. 1400. (a) That the following parts of the Revenue Act of 1918 are repealed, to take effect (except as otherwise provided in this Act) on January 1, 1922, subject to the limitations provided in subdivision (b):

Title II (called "Income Tax") as of January 1, 1921;  
Title III (called "War-Profits and Excess-Profits Tax") as of January 1, 1921;  
Title IV (called "Estate Tax") on the passage of this Act;  
Title V (called "Tax on Transportation and Other Facilities, and on Insurance");

Sections 628, 629, and 630 of Title VI (being the taxes on soft drinks, ice cream, and similar articles);

Title VII (called "Tax on Cigars, Tobacco and Manufactures Thereof");

Title VIII (called "Tax on Admissions and Dues");

Title IX (called "Excise Taxes");

Title X (called "Special Taxes");

Title XI (called "Stamp Taxes");

Title XII (called "Tax on Employment of Child Labor") as of January 1, 1921; and

Sections 1314, 1315, 1316, 1317, 1319, and 1320 of Title XIII (being certain administrative provisions) on the passage of this Act.

(b) The parts of the Revenue Act of 1918 which are repealed by this Act shall (unless otherwise specifically provided in this Act) remain in force for the assessment and collection of all taxes which have accrued under the Revenue Act of 1918 at the time such parts cease to be in effect, and for the imposition and collection of all penalties or forfeitures which have accrued or may accrue in relation to any such taxes. In the case of any tax imposed by any part of the Revenue Act of 1918 repealed by this Act, if there is a tax imposed by this Act in lieu thereof, the provision imposing such tax shall remain in force until the corresponding tax under this Act takes effect under the provisions of this Act. The unexpended balance of any appropriation heretofore made and now available for the administration of any such part of the Revenue Act of 1918 shall be available for the administration of this Act or the corresponding provision thereof.

#### INCREASE IN NOTE AUTHORIZATION.

Soft drinks, etc.  
Vol. 40, p. 1116.  
Cigars, tobacco, etc.  
Vol. 40, pp. 1116-1120.  
Admissions and dues.  
Vol. 40, pp. 1120, 1121.  
Excise taxes.  
Vol. 40, pp. 1122-1126.  
Special taxes.  
Vol. 40, pp. 1126-1133.  
Stamp taxes.  
Vol. 40, pp. 1133-1138.  
Child labor tax.  
Vol. 40, pp. 1138-1140.  
Administrative provisions.  
Vol. 40, pp. 1145-1148.

Repealed provisions continued for collecting accrued taxes, etc.

Unexpended balances available.

Victory loan notes.

SEC. 1401. That subdivision (a) of section 18 of the Second Liberty Bond Act, as amended, is amended by striking out the words and figures "for the purposes of this Act, and to meet public expenditures authorized by law, not exceeding in the aggregate \$7,000,000,000", and inserting in lieu thereof the words and figures "for the purposes of this Act, to provide for the purchase or redemption of any notes issued hereunder, and to meet public expenditures authorized by law, not exceeding in the aggregate \$7,500,000,000 at any one time outstanding".

Authorized issue increased and use extended.

Vol. 40, p. 1310, amended.

#### INCREASE IN TREASURY SAVINGS CERTIFICATE LIMIT.

Treasury savings certificates.

SEC. 1402. That section 6 of the Second Liberty Bond Act, as amended, is amended by striking out in the next to the last sentence thereof the figures "\$1,000" and inserting in lieu thereof the figures "\$5,000".

Aggregate allowed one person increased to \$5,000.  
Vol. 40, p. 966.

#### SAVING CLAUSE IN EVENT OF UNCONSTITUTIONALITY.

Saving clause.

SEC. 1403. That if any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Invalidity of any provision not to affect remainder of Act.

#### EFFECTIVE DATE OF ACT.

Effective date.

SEC. 1404. That except as otherwise provided, this Act shall take effect upon its passage.

Upon approval, etc.

Approved, November 23, 1921, at 3.55 p. m.

November 23, 1921.  
[S. 843.]  
[Public, No. 99.]

**CHAP. 137.**—An Act To amend section 5 of the Act approved March 2, 1919, entitled "An Act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

War contracts for  
minerals, etc.  
Vol. 40, p. 1274, amend-  
ed.

Reimbursement di-  
rected for losses in pro-  
ducing, etc., in re-  
sponse to Government  
appeal, etc.

Vol. 40, p. 1010.

Reopening of claims,  
etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5 of the Act approved March 2, 1919, entitled "An Act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," be, and the same is hereby, amended as follows:

Add to the first paragraph of section 5 the following proviso: "Provided, That all claimants who, in response to any personal, written, or published request, demand, solicitation, or appeal from any of the Government agencies mentioned in said Act, in good faith expended money in producing or preparing to produce any of the ores or minerals named therein and have heretofore mailed or filed their claims or notice in writing thereof within the time and in the manner prescribed by said Act, if the proof in support of said claims clearly shows them to be based upon action taken in response to such request, demand, solicitation or appeal, shall be reimbursed such net losses as they may have incurred and are in justice and equity entitled to from the appropriation in said Act.

"If in claims passed upon under said Act awards have been denied or made on rulings contrary to the provisions of this amendment, or through miscalculation, the Secretary of the Interior may award proper amounts or additional amounts."

Approved, November 23, 1921.

November 23, 1921.  
[S. 2555.]  
[Public, No. 100.]

**CHAP. 138.**—An Act To construct, maintain, and operate a bridge and approaches thereto across Great Pee Dee River, South Carolina.

Great Pee Dee River.  
Marion and Florence  
counties, S. C., may  
bridge, Mars Bluff  
Ferry.

Construction.  
Vol. 34, p. 84.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the counties of Marion and Florence of the State of South Carolina, be, and they are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across Great Pee Dee River at a point suitable to the interests of navigation, and at or near a point known as Mars Bluff Ferry, between the counties of Marion and Florence, in the State of South Carolina, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 23, 1921.

November 23, 1921.  
[S. 2594.]  
[Public, No. 101.]

**CHAP. 139.**—An Act Authorizing the counties of Allendale, South Carolina, and Screven, Georgia, to construct a bridge across the Savannah River, between said counties, at or near Burtons Ferry.

Savannah River.  
Counties of Allen-  
dale, S. C., and Screv-  
en, Ga., may bridge,  
Burtons Ferry.

Construction.  
Vol. 34, p. 84.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the counties of Allendale, South Carolina, and Screven, Georgia, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Savannah River, at a point suitable to the interests of navigation, between said counties, at or near Burtons Ferry, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 23, 1921.

**CHAP. 140.**—An Act To extend the time for constructing a bridge across the White River at or near the town of Des Arc, Arkansas.

November 23, 1921.  
[S. 2722.]  
[Public, No. 102.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the bridge authorized by the Act of Congress approved February 19, 1920, to be built across the White River at or near the town of Des Arc, Arkansas, by Gordon N. Peay, junior, his heirs and assigns, are hereby extended one year and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 23, 1921.

White River.  
Time extended for  
bridging, by Gordon  
N. Peay, Jr., at Des  
Arc, Ark.  
Vol. 41, p. 436, amend-  
ed.

Amendment.

**CHAP. 141.**—An Act To authorize the construction of a bridge across the White River, in Prairie County, Arkansas.

November 23, 1921.  
[S. 2724.]  
[Public, No. 103.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to Harry E. Bovay, his successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River, at a point where the Bankhead Highway now crosses the said river, said point being now designated as just south of the Chicago, Rock Island and Pacific Railroad Company's bridge, near the city of De Valls Bluff, county of Prairie, and State of Arkansas. Said bridge shall be constructed at or near such point as is most suitable to the interests of navigation and in accordance with the provisions of the Act of Congress approved March 23, 1906, entitled "An Act to regulate the construction of bridges over navigable waters."

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 23, 1921.

White River.  
Harry E. Bovay  
may bridge, near De  
Valls Bluff, Ark.

Construction.  
Vol. 34, p. 84.

Amendment.

**CHAP. 142.**—An Act To amend section 955 of the Revised Statutes by extending the jurisdiction of courts in cases of revivor.

November 23, 1921.  
[H. R. 6053.]  
[Public, No. 104.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 955 of the Revised Statutes of the United States is hereby amended to read as follows:

"SEC. 955. When either of the parties, whether plaintiff or petitioner or defendant, in any suit in any court of the United States, dies before final judgment, the executor or administrator of such deceased party may, in case the cause of action survives by law, prosecute or defend any such suit to final judgment. The defendant shall answer accordingly, and the court shall hear and determine the cause and render judgment for or against the executor or administrator, as the case may require. And if such executor or administrator, having been duly served with a scire facias from the office of the clerk of the court where the suit is depending twenty days beforehand, neglects or refuses to become party to the suit, the court may render judgment against the estate of the deceased party in the same manner as if the executor or administrator had voluntarily made himself a party. The executor or administrator who becomes a party as aforesaid shall, upon motion to the court, be entitled to a continuance of the suit until the next term of said court.

"The provisions of this section shall apply to suits in equity and in admiralty as well as to suits at law, and the jurisdiction of all courts of the United States shall extend to and over executors and

United States courts.  
R. S., sec. 955, p. 181,  
amended.

Death of parties in a  
suit.  
Revivor by executor  
or administrator.

Defendant to answer.

Judgment on refusal,  
etc., of executor or ad-  
ministrator to become  
party to suit.

Continuance.

Extended to equity  
and admiralty suits.  
Jurisdiction of  
courts.

administrators of any party, who dies before final judgment or decree, appointed under the laws of any State or Territory of the United States in which the action is pending, and such court shall have jurisdiction within two years from the date of the death of the party to the suit to issue its scire facias to executors and administrators appointed in any State or Territory of the United States which may be served in any judicial district by the marshal thereof: *Provided, however,* That no executor or administrator shall be made a party unless such service is made before final settlement and distribution of the estate of said deceased party to the suit."

*Proviso.*  
Service to be made  
before final settlement  
of estate.

Prior application,  
etc.

SEC. 2. That the provisions of section 955 of the Revised Statutes of the United States as amended by this Act shall apply to suits in which any party has deceased prior to the passage of this amendatory Act as well as to suits in which any party may die hereafter.

Approved, November 23, 1921.

November 23, 1921.  
[H. R. 7394.]  
[Public, No. 106.]

CHAP. 143.—An Act To extend the time for the construction of a bridge across the Tombigbee River at or near Ironwood Bluff, in the county of Itawamba, Mississippi.

Tombigbee River.  
Time extended for  
bridging, by Itawam-  
ba County, Miss., at  
Iron Wood Bluff.  
Vol. 41, p. 391, amend-  
ed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge and approaches thereto authorized by the Act of Congress approved January 15, 1920, to be constructed by the board of supervisors of Itawamba County, Mississippi, across the Tombigbee River at a point suitable to the interests of navigation at or near Ironwood Bluff, in the county of Itawamba, in the State of Mississippi, are hereby extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 23, 1921.

November 23, 1921.  
[H. R. 7423.]  
[Public, No. 106.]

CHAP. 144.—An Act To amend section 1 of an Act entitled "An Act to incorporate Gonzaga College, in the city of Washington and District of Columbia."

District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act entitled "An Act to incorporate Gonzaga College, in the city of Washington and District of Columbia," approved May 4, 1858, is amended to read as follows:

Gonzaga College.  
Incorporation of.  
Vol. 11, p. 365, amend-  
ed.

Purposes extended.

"That Burcard Villiger, Charles H. Stonestreet, Daniel Lynch, Edward X. Hand, and Charles Jenkins, and their successors, be, and they are hereby, made a body politic and corporate forever, by the name of the president and directors of Gonzaga College, for purposes of charity, religion, and education; and by that name may sue, and be sued, prosecute and defend; may have and use a common seal and the same alter and renew at pleasure; may adopt rules, regulations, and by-laws not repugnant to the Constitution and laws of the United States, for properly conducting the affairs of said corporation; may take, receive, purchase, and hold estate, real, personal, and mixed necessary for occupation and use by said Gonzaga College in carrying on in a comfortable and convenient manner its educational, religious, and charitable work, and may manage and dispose of the same at pleasure, and apply the same, or the proceeds of the sales thereof, to the uses and purposes of the said corporation, according to the rules and regulations which now are, or may hereafter be, established."

No restriction on  
property holdings.

Approved, November 23, 1921.

**CHAP. 145.**—An Act Granting the consent of Congress to the board of supervisors of Whiteside County, Illinois, to construct a bridge across Rock River.

November 23, 1921.

[H. R. 8346.]

[Public, No. 107.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the board of supervisors of Whiteside County, in the State of Illinois, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Rock River at a point suitable to the interests of navigation, at or near the city of Sterling, in the county of Whiteside, in the State of Illinois, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Rock River.  
Whiteside County  
may bridge, Sterling,  
Ill.

Construction.  
Vol. 34, p. 84.

Amendment.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 23, 1921.

**CHAP. 146.**—An Act To authorize the New York Central Railroad Company to construct a bridge across the Grand Calumet River within the corporate limits of the town of Gary, Indiana.

November 23, 1921.

[H. R. 8347.]

[Public, No. 108.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the New York Central Railroad Company, a consolidated corporation of the States of Ohio, Indiana, Illinois, Pennsylvania, New York, and Michigan, is hereby authorized to construct, maintain, and operate a bridge across the Grand Calumet River at a point suitable to the interests of navigation and within the corporate limits of the town of Gary, Lake County, Indiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Grand Calumet  
River.  
New York Central  
Railroad Company  
may bridge, Gary,  
Ind.

Construction.  
Vol. 34, p. 84.

Amendment.

**SEC. 2.** That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, November 23, 1921.

**CHAP. 147.**—Joint Resolution Authorizing payment of the salaries of officers and employees of Congress for November, 1921, on the twenty-third day of said month.

November 23, 1921.

[H. J. Res. 226.]

[Pub. Res., No. 28.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Senate and Clerk of the House of Representatives are authorized and directed to pay to the officers and employees of the Senate and House of Representatives, borne on the annual and session rolls, including the Capitol police, their respective salaries for the full month of November, 1921, on the twenty-third day of said month. Such amount as may be necessary to pay the session employees from the date of the adjournment of the first session of the Sixty-Seventh Congress until the beginning of the second session thereof, is appropriated out of any money in the Treasury not otherwise appropriated.

Congressional offi-  
cers, etc., to be paid  
November salaries,  
November 23, 1921.

Appropriation for  
session employees.

Approved, November 23, 1921.

**CHAP. 148.**—Joint Resolution Permitting certain Chinese to register under certain provisions and conditions.

November 23, 1921.

[S. J. Res. 33.]

[Pub. Res., No. 29.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioner General of Immigration be, and he hereby is, authorized and directed to register, and to issue an appropriate certificate showing registration to, the three hundred and sixty-five Chinese men, now temporarily

Chinese refugees.  
Registration direc-  
ted of certain, attached  
to punitive expedi-  
tion into Mexico in  
1916.



domiciled in the United States, who attached themselves to the punitive military expedition under the command of General Pershing which entered Mexico in 1916, and who were brought into the United States as refugees by said expedition when it returned from Mexico.

**Right of domicile on registration.**  
 Vol. 27, p. 25.  
 Vol. 28, p. 7.

**Proteas.**  
**Examination, except reading test, required.**  
 Vol. 39, p. 877.

**Deportation if not admissible.**

**Deportation if subsequently of excluded class.**  
 Vol. 39, p. 889.

**No charge for certificate.**

**Collecting fee, etc., for services, unlawful.**

**Punishment for.**

SEC. 2. That the registration hereby provided shall correspond as nearly as circumstances permit to the registration of domiciled Chinese prescribed by section 6 of the Act approved May 5, 1892 (Twenty-seventh Statutes at Large, page 25), as amended by section 1 of the Act approved November 3, 1893 (Twenty-eighth Statutes at Large, page 7), and the certificates of registration issued to such Chinese shall constitute evidence of their right to be and remain within the United States: *Provided, however,* That before being registered hereunder the said Chinese shall be given the examination prescribed by the Immigration Act of February 5, 1917 (Thirty-ninth Statutes at Large, page 874), with the exception of the reading test prescribed by section 3 thereof, and such of them as may be found inadmissible under said Act shall not be registered hereunder, but shall be deported by the Secretary of Labor in the manner prescribed by section 19 of said Immigration Act: *Provided, further,* That if any of the said Chinese shall, at any time after being registered pursuant to this resolution, become members of any of the classes for the expulsion of which provision is made in section 19 of the said Immigration Act, they shall be taken into custody and deported upon the warrant of the Secretary of Labor in accordance with the terms of said section.

SEC. 3. That the certificate of registration herein provided shall be issued to the said Chinese by the Commissioner General without charge; and it shall be unlawful for any person, directly or indirectly, to collect any fee, gift, or remuneration for services rendered, or alleged to have been rendered, said Chinese in the procurement of such certificate or, directly or indirectly, to collect from the said Chinese any fee, gift, or remuneration for services performed in placing before Congress evidence or information on which the passage of this resolution is based; and any person who shall violate either of these provisions shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than six months, or by both such fine and imprisonment.

Approved, November 23, 1921.

November 23, 1921.

[H. J. Res. 219.]

[Pub. Res., No. 30.]

CHAP. 149.—Joint Resolution For the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

National Home for Disabled Volunteer Soldiers.  
 Roy L. Marston appointed a Manager.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Roy L. Marston, of Maine, be, and he is hereby, appointed a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States, to fill the unexpired term of Menander Dennett, deceased.

Approved, November 23, 1921.

# INDEX TO THE FOREGOING PUBLIC ACTS AND RESOLUTIONS

| A.  | Page.       | Advertising, D. C.,                                 | Page.       |
|---|-------------|---|-------------|
| <i>Abandoned Military Reservations (see Military Reservation, Abandoned).</i> |             | deficiency appropriation for general.....           | 30, 33      |
| <i>Abilene, Tex.,</i>   |             | <i>Advisory Committee on Fishery Industry,</i>      |             |
| memorial building to soldiers and sailors of                                  |             | composition of; geographical selection....          | 63          |
| World War, allowed on public building   |             | duties; no compensation.....                        | 63          |
| site, by Parramore Post, American   |             | emergency appropriation for expenses of,            |             |
| Legion.....   | 199         | 1922.....   | 64          |
| conditions, etc.; approval of design, etc.                                    | 200         | <i>Agricultural, etc., Fairs,</i>                   |             |
| <i>Accounting Office (see General Accounting Office).</i>                     |             | exempt from admission tax.....                      | 290         |
| <i>Accounting Officers of the Treasury,</i>                                   |             | special excise tax.....                             | 296         |
| deficiency appropriation for paying claims                                    |             | <i>Agricultural, etc., Organizations,</i>           |             |
| certified by.....   | 51, 55, 195 | exempt from income tax.....                         | 253         |
| <i>Accounts and Deposits, Commissioner of,</i>                                |             | <i>Agricultural Food Products,</i>                  |             |
| deficiency appropriation for, 1922.....                                       | 36          | deficiency appropriation for distributing           |             |
| <i>Acknowledgments,</i>   |             | information of, marketing, etc..                    | 54, 58, 198 |
| in tax returns, other than income, excess                                     |             | <i>Agricultural Grain Products (see also Future</i> |             |
| profits, and estate, not over \$1,000   |             | Trading Act),                                       |             |
| may be without oath.....  | 309         | provisions governing trading in, for future         |             |
| <i>Adjutant General's Department, Army,</i>                                   |             | delivery.....                                       | 187         |
| appropriation for contingencies, headquar-                                    |             | <i>Agricultural Products, etc.,</i>                 |             |
| ters of military departments, etc....   | 70          | temporary duties levied for six months on           |             |
| <i>Administrative Branch of the Government,</i>                               |             | designated.....                                     | 9           |
| appointment by the President of a repre-                                      |             | continued until otherwise provided by               |             |
| sentative to cooperate with Joint   |             | law.....  | 220         |
| Committee on Reorganization of,   |             | <i>Agricultural Products, Staple (see also War</i>  |             |
| authorized.....   | 3           | Finance Corporation Act Amend-                      |             |
| salary, etc.....  | 3           | ments),   |             |
| <i>Admissions and Dues, Tax on, Title VIII,</i>                               |             | provisions for advances to producers or             |             |
| <i>Revenue Act of 1918,</i>   |             | dealers to assist in exporting accu-                |             |
| repealed.....   | 321         | mulated surplus of.....                             | 181         |
| <i>Admissions and Dues, Tax on, Title VIII,</i>                               |             | to purchasers abroad of, to be expended             |             |
| <i>Revenue Act of 1921,</i>   |             | in United States.....                               | 181         |
| tax payable on admissions to theaters, etc.;                                  |             | <i>Agricultural Products, United States,</i>        |             |
| exception.....  | 290         | exhibit of, to be prepared for Rio de Janeiro,      |             |
| on sales of tickets at other than box office                                  |             | Brazil, Exposition.....                             | 210         |
| exceeding established price.....  | 290         | report to accompany.....                            | 210         |
| at box offices in excess of regular rates..                                   | 290         | <i>Air Service, Army,</i>                           |             |
| additional on box holders, etc.....   | 290         | appropriation for aviation instruction ex-          |             |
| to roof gardens, cabarets, etc.....   | 290         | penses.....   | 72          |
| no tax levied, if proceeds for benefit of re-                                 |             | for maintenance, storage, etc., of air-             |             |
| ligious, charitable, etc., institutions.                                      | 290         | ships, etc.....                                     | 72          |
| societies for prevention of cruelty to  |             | for aerial photographic supplies.....               | 72          |
| children or animals.....  | 290         | for plants for testing and experimental             |             |
| symphony orchestra organizations, sup-  |             | work.....   | 72          |
| ported by voluntary contributions,  |             | for helium gas production, etc.....                 | 72          |
| etc.....  | 290         | for investigating, etc., new types of air-          |             |
| for municipal improvements, community   |             | ships, etc.....                                     | 72          |
| moving-picture theaters, etc.....   | 290         | for purchase, manufacture, etc., of aerial          |             |
| for benefit of United States armed forces,                                    |             | machines, etc.....                                  | 72          |
| or persons formerly in, etc.....  | 290         | for special clothing, etc.....                      | 72          |
| agricultural fairs, etc.; conditions.....                                     | 290         | for expenses, disposal of surplus equip-            |             |
| charges for seats, tables, etc., included as                                  |             | ment, etc.....                                      | 72          |
| admissions.....   | 291         | for consulting engineers.....                       | 72          |
| price, etc., to be printed on tickets.....                                    | 291         | for special scientific research.....                | 72          |
| penalty for violations.....   | 291         | for printing, office supplies, etc.....             | 72          |
| tax levied on dues, etc., exceeding \$10 a                                    |             | for allotments to designated objects....            | 73          |
| year, of social, etc., clubs; initiation                                      |             | civilian employees.....                             | 73          |
| fees.....   | 291         | helium production, etc.....                         | 73          |
| exemption of fraternal lodges, etc.....                                       | 291         | aircraft research work.....                         | 73          |
| life membership payments.....   | 291         | balloon production.....                             | 73          |
| collection by receivers of; returns and                                       |             | improving stations, hangars, etc.....               | 73          |
| payments.....   | 291         | new airplane production, etc.....                   | 73          |
|   |             | paying damage claims.....                           | 73          |
|   |             | for officers, aviation increase.....                | 74          |
|   |             | enlisted men; maximum number.....                   | 74          |
|   |             | number of flying cadets allowed.....                | 74          |

|   | Page.           |   | Page.       |
|---|-----------------|---|-------------|
| <i>Air Service, Army—Continued.</i>             |                 | <i>Aliens—Continued.</i>                                |             |
| deficiency appropriation for, military.....     | 196             | admissible during July, 1921, of 20 per                 |             |
| for, production.....                            | 196             | cent of nationality.....                                | 173         |
| payment to Lonoke Chamber of Com-               |                 | departure of, from United States forbidden              |             |
| merce, Ark., for lease of lands, rati-          |                 | unless certificate secured of compli-                   |             |
| fied.....                                       | 73              | ance with income, etc., tax laws....                    | 267         |
| use of funds of, 1920, authorized to pay        |                 | limitation on admissions of, until June 30,             |             |
| Frank D. Kohn.....                              | 73              | 1922.....   | 5           |
| <i>Aircraft Factory, Naval,</i>                 |                 | <i>Allegheny River,</i>                                 |             |
| appropriation for maintenance.....              | 123             | bridge authorized across, Oil City, Pa.....             | 104         |
| <i>Aircraft, Navy (see Aviation, Navy).</i>     |                 | <i>Allen, Charles C.,</i>                               |             |
| <i>Aircraft, Postal Service,</i>                |                 | deficiency appropriation for extra services.....        | 50          |
| deficiency appropriation for operation and      |                 | <i>Allendale County, S. C.,</i>                         |             |
| maintenance, New York and San                   |                 | Screven County, Ga., and, may bridge Sa-                |             |
| Francisco.....                                  | 42              | vannah River.....                                       | 322         |
| <i>Airplane Bombs, Army,</i>                    |                 | <i>Alpaca Hair (see Wool).</i>                          |             |
| appropriation for manufacture.....              | 90              | <i>Alternative Budget,</i>                              |             |
| for sighting devices, etc., for.....            | 91              | to be submitted for fiscal year 1923 only,              |             |
| <i>Alaska,</i>                                  |                 | by the President.....                                   | 21          |
| appropriation for military cable and tele-      |                 | form, explanatory notes, etc.....                       | 21          |
| graph.....                                      | 72              | <i>American Ethnology,</i>                              |             |
| for loss by exchange, Army officers in...       | 76              | deficiency appropriation for printing and               |             |
| for military, etc., roads, bridges, and         |                 | binding for Bureau of.....                              | 50          |
| trails, in.....                                 | 90              | <i>American Historical Association,</i>                 |             |
| use of Territorial, etc., contributions..       | 90              | deficiency appropriation for printing and               |             |
| investigation of feasibility, etc., of          |                 | binding Annual Report of.....                           | 50          |
| connections with designated coal                |                 | <i>American Seamen,</i>                                 |             |
| deposits.....                                   | 90              | deficiency appropriation for relief and pro-            |             |
| for investigation, etc., of transportation      |                 | tection of, in foreign countries.....                   | 35, 54,     |
| communications with specified min-              |                 |   | 58, 196     |
| ing districts.....                              | 90              | <i>American Soldier, Unknown Unidentified,</i>          |             |
| for mining, transporting, etc., coal in, for    |                 | expenses attending burial of, at Arlington              |             |
| use of the Navy.....                            | 133             | Memorial Amphitheater payable                           |             |
| deficiency appropriation for relief of ship-    |                 | from Army appropriation for disposi-                    |             |
| wrecked American seamen in.....                 | 35              | tion of remains of officers, etc.....                   | 207         |
| for miscellaneous court expenses.....           | 41, 194         | including troops, etc., to and from Wash-               |             |
| for seal fisheries service.....                 | 47              | ington.....   | 207         |
| for education of natives.....                   | 53              | amount limited.....                                     | 207         |
| for medical relief of natives.....              | 53, 56, 197     | holiday declared for November 11, 1921,                 |             |
| for contingent expenses.....                    | 53              | in honor of, to be buried at Arling-                    |             |
| additional amount authorized for railroad       |                 | ton Memorial Amphitheater.....                          | 211         |
| from Seward to Fairbanks.....                   | 221             | <i>Ammunition, Army,</i>                                |             |
| railroad building at Seward, to be kept for     |                 | appropriation for manufacture, etc., of air-            |             |
| court uses.....                                 | 141             | plane bombs.....  | 90          |
| <i>Alaska Engineering Commission,</i>           |                 | for small arms, etc.....                                | 90          |
| additional authorization for completing         |                 | for firing morning and evening gun, etc..               | 90          |
| railroad between Seward and Fair-               |                 | for small arms target practice.....                     | 91          |
| banks, etc.....                                 | 221             | for preserving, etc.....                                | 91          |
| office building at Seward to be retained for    |                 | <i>Ammunition, Marine Corps,</i>                        |             |
| court uses.....                                 | 141             | appropriation for procuring, etc.....                   | 138         |
| <i>Albuquerque, N. Mex.,</i>                    |                 | <i>Amusement Places,</i>                                |             |
| deficiency appropriation for Indian school      |                 | internal revenue tax on admissions to.....              | 290         |
| at.....   | 45, 57          | <i>Angora Goat Hair (see Wool).</i>                     |             |
| <i>Alcohol, Absolute,</i>                       |                 | <i>Animal Industry Bureau, Department of Ag-</i>        |             |
| produced by extracting water from high-         |                 | riculture,  |             |
| proof spirits, not deemed a rectifica-          |                 | deficiency appropriation for paying in-                 |             |
| tion.....                                       | 285             | demnities for destroyed diseased                        |             |
| exempt from tax on rectified spirits.....       | 285             | animals.....  | 46          |
| <i>Alien Individuals, Nonresident,</i>          |                 | for general expenses.....                               | 54, 58, 198 |
| taxable income of.....                          | 243             | for meat inspection.....                                | 58          |
| <i>Alien Property Custodian,</i>                |                 | payment to Peter G. Ten Eyck, from meat                 |             |
| deficiency appropriation for salaries and       |                 | inspection, 1921.....                                   | 46          |
| expenses.....                                   | 53              | <i>Animals, Societies for Prevention of Cruelty to,</i> |             |
| transfer of one Army automobile to.....         | 29              | exempt from income tax.....                             | 253         |
| <i>Aliens (see also Immigration of Aliens),</i> |                 | <i>Annapolis, Md. (see Naval Academy).</i>              |             |
| deficiency appropriation for expenses regu-     |                 | <i>Anti-Beer Act (see National Prohibition Act).</i>    |             |
| lating immigration of.....                      | 48, 54, 58, 199 | <i>Antidumping Act, 1921 (see also Emergency</i>        |             |
| for expenses of interned.....                   | 54, 199         | Tariff Act),  |             |
| admissible, allowed entry during June if        |                 | investigation by Secretary if American in-              |             |
| leaving foreign port on or before June          |                 | dustry injured by sale of imports at                    |             |
| 8, 1921, although prescribed limit for          |                 | less than real value.....                               | 11          |
| nationality had been reached before             |                 | finding to be made public.....                          | 11          |
| application.....                                | 173             | when no finding made, appraisement of im-               |             |
| deducted from number allowed for                |                 | ports to be withheld if price believed                  |             |
| fiscal year 1922.....                           | 173             | to be less than market value, etc....                   | 11          |
|   |                 | to await order, or finding, of Secretary...             | 11          |

# INDEX.

iii

| <i>Antidumping Act, 1921—Continued.</i>   | Page. | <i>Antidumping Act, 1921—Continued.</i>   | Page.  |
|---|-------|---|--------|
| special dumping duty levied on all unappraised merchandise subject thereto, if purchase price less than market value, etc.....        | 11    | appraisers; action of, and collectors, subject to right of appeal and protest ..  | 15     |
| to equal the difference.....  | 12    | jurisdiction of general appraisers, etc., over.....   | 15     |
| determination of market value for, if difference due to greater sales for American export than in home market, etc.....               | 12    | drawbacks allowed on special dumping duties.....  | 15     |
| if due to greater sales in United States than in country of export, etc.....  | 12    | title of Act.....   | 15     |
| purchase price determined by price paid by purchaser, etc.....  | 12    | <i>Antitrust Laws,</i>  |        |
| cost of containers and packing expenses added.....  | 12    | deficiency appropriation for enforcing....  | 55     |
| import duty, and shipping expenses to place of delivery, deducted.....  | 12    | <i>Apples,</i>  |        |
| additions; export tax, rebates of taxes, etc.....   | 12    | temporary duty on.....  | 11     |
| exporters' sales price, the price at which sold.....  | 13    | <i>Apprentice Seamen, Navy,</i>   |        |
| including cost of coverings, packing, etc. deductions; shipment expenses, and United States duties.....                               | 13    | appropriation for pay.....  | 131    |
| selling commission.....   | 13    | <i>Appropriations,</i>  |        |
| export tax in country of exportation..  | 13    | for legislative expenses, first session, Sixty-seventh Congress, etc.....   | 1      |
| additions; rebates, etc., of duties and taxes.....  | 13    | second deficiency appropriation Act, 1921.  | 29     |
| foreign market value, the usual wholesale price at time of exportation.....   | 13    | for urgent deficiencies.....  | 192    |
| or for export to countries other than United States.....  | 13    | for Army.....   | 68     |
| cost of preparing for shipment added, if not included in price.....   | 13    | for Military Academy.....   | 95     |
| price at date of purchase when prior to time of exportation.....  | 13    | for naval service.....  | 122    |
| pretended sales, etc., not considered....   | 13    | made available from July 1, 1921.....   | 121    |
| cost of production, includes cost of materials, and of making at ordinary time before shipment.....                                   | 13    | for Washington Monument, D. C., repairs to elevator, etc.....   | 8      |
| usual general expenses.....   | 14    | for expenses of Bureau of the Budget.....   | 23     |
| coverings, packing expenses, etc.....   | 14    | for expenses of commission to the Centennial Celebration of the Independence of Peru.....   | 67     |
| profits ordinarily added on similar goods in country where produced.....  | 14    | for delegates to Pan American Postal Congress.....  | 145    |
| exporter of imported goods, deemed the person who is agent or principal of the exporter, manufacturer, or producer.....               | 14    | for expenses of commission to negotiate with Canada on pulp wood, etc., export restrictions.....  | 170    |
| owning or controlling any interest in the business of.....  | 14    | for execution of Federal Highway Act, fiscal year 1922.....   | 216    |
| exporter, manufacturer, or producer owning any interest in any business of..  | 14    | for survey, construction, etc., of forest roads and trails, 1922 and 1923.....  | 217    |
| person or persons owning 20 per cent of interest in business of importer and also of.....   | 14    | for Tax Simplification Board expenses....   | 317    |
| delivery of imports subject to dumping duties unlawful.....   | 14    | for pay of session employees from adjournment of first to beginning of second session of 67th Congress.....   | 325    |
| allowed if importer makes oath that he is not an exporter.....  | 14    | statement of, third session, Sixty-sixth Congress to include Army, Navy, and second deficiency appropriation Acts of first session, Sixty-seventh Congress..... | 48     |
| declares exporter's sales price at the time of entry.....   | 14    | <i>Arizona,</i>   |        |
| permitted, on making oath that sale has not been made.....  | 14    | deficiency appropriation for support, etc., of Indians in.....  | 53, 57 |
| on giving bond to report exporters sales price after sale in the United States.....   | 14    | consent given to negotiations for apportioning waters of Colorado River, etc., between, and designated States.  | 172    |
| to pay special duties.....  | 14    | agreement subject to approval of legislature and Congress.....  | 172    |
| to furnish necessary information to collector, etc.....   | 15    | settlers, etc., dispossessed from lands in Baca Float No. 3, allowed double area in lieu thereof.....   | 107    |
| appraisers to estimate and report foreign market values, purchase and export price, etc., of all imports subject to special duty..... | 15    | <i>Arkansas River,</i>  |        |
|   |       | time extended for bridging, near Fort Gibson, Okla.....   | 104    |
|   |       | Webbers Falls, Okla.....  | 104    |
|   |       | <i>Arkansas River, Colo., Floods, 1921,</i>   |        |
|   |       | Army supplies to be furnished sufferers from.....   | 19     |
|   |       | cooperation with State and local authorities.....   | 20     |
|   |       | <i>Arlington Memorial Amphitheater and Chapel, Va.,</i>   |        |
|   |       | bestowal of medal of honor and distinguished service cross upon body of unknown unidentified American soldier to be buried in.....                              | 191    |

|  | Page. | <i>Army—Continued.</i>   | Page. |
|--|-------|--|-------|
| <i>Arlington Memorial Amphitheater and Chapel, Va.—Continued.</i>  |       | appropriation for pay of line and staff officers.....  | 73    |
| expenses of burial of unknown unidentified American soldier at, payable from Army appropriation for disposition of remains of officers, etc.....                                 | 207   | for National Guard officers.....   | 73    |
| including transporting troops, etc., to and from Washington.....   | 207   | for Officers' Reserve Corps.....   | 73    |
| amount limited.....  | 207   | pay limitations for active duty; exceptions.....   | 73    |
| <i>Armament, Conference on Limitation of, deficiency appropriation for expenses.....</i>   | 192   | pay, etc., of Medical Reserve Corps at Army hospitals, serving patients of War Risk Insurance Bureau, from funds allotted by.....      | 74    |
| <i>Armament, Naval,</i>  |       | for warrant officers.....  | 74    |
| invitation authorized to Great Britain and Japan to a conference for mutual reduction of.....  | 141   | for aviation increase, Air Service officers.....   | 74    |
| <i>Armament of Fortifications,</i>   |       | for longevity.....   | 74    |
| deficiency appropriation for.....  | 196   | for pay of enlisted men of the line and staff.....   | 74    |
| <i>Armistice Day, 1921,</i>  |       | discharge of minors; transportation furnished.....   | 74    |
| proclamation authorized for holiday November 11, 1921, the day of burial of unknown American soldier at Arlington Cemetery, in respect to memory of lives lost in World War..... | 211   | discharges allowed to reduce strength to 150,000.....  | 74    |
| <i>Armistice of November 3, 1918 (see World War).</i>  |       | enlistment allowance repealed.....   | 74    |
| <i>Armor and Armament, Navy,</i>   |       | for enlisted men, National Guard.....  | 74    |
| appropriation for, increase of the Navy....  | 139   | for Enlisted Reserve Corps.....  | 74    |
| <i>Arms, etc., Army,</i>   |       | for aviation increase; enlisted men, Air Service; number limited.....  | 74    |
| appropriation for manufacturing, etc., at armories.....  | 91    | number of flying cadets allowed.....   | 74    |
| <i>Army,</i>   |       | for enlisted men, Philippine Scouts....  | 74    |
| appropriation for support of the.....  | 68    | for longevity.....   | 74    |
| for all contingencies, under Secretary of War.....   | 68    | for retired pay, officers.....   | 74    |
| salaries of citizens selling war supplies; adjusting war contracts.....  | 68    | for retired officers on active duty.....   | 74    |
| surplus foodstuffs may be sold to friendly foreign governments.....  | 68    | for retired enlisted men.....  | 74    |
| pay restrictions, civilian employees... for General Staff College.....   | 69    | for retired enlisted men on active duty..  | 74    |
| for contingencies, Military Intelligence Division.....   | 69    | for retired Philippine Scout officers....  | 74    |
| for expenses, military observers abroad. for general service schools.....  | 69    | for retired pay clerks.....  | 74    |
| for Field Artillery activities.....  | 70    | for retired veterinarians.....   | 74    |
| for contingencies, headquarters of departments, etc.....   | 70    | for clerks, etc., office of Chief of Staff... for clerks, etc., General Staff College...   | 75    |
| for Coast Artillery School.....  | 70    | for clerks, etc., at headquarters, etc....   | 75    |
| for Signal Service expenses; telegraph and telephone service.....  | 71    | for additional pay, foreign service.....   | 75    |
| electric plants at posts.....  | 71    | for commutation of quarters, etc.....  | 75    |
| civilian employees, supplies, etc.....   | 71    | for commutation of quarters, etc., field clerks, Quartermaster Corps.....  | 75    |
| experiments in signaling, etc.....   | 71    | assignment; Department duty forbidden.....   | 75    |
| buildings for supplies, etc.....   | 71    | for contract surgeons, nurses, etc.....  | 75    |
| civilian employees; telegraph and telephone service.....   | 71    | for courts martial, etc., expenses.....  | 75    |
| allotment of expenditures to designated objects.....   | 71    | for commutation of quarters, officers, etc. for interest on soldiers' deposits.....  | 75    |
| for Washington-Alaska cable, etc.....  | 72    | for expert accountant.....   | 75    |
| for Air Service; flying, balloon, etc., schools, aviation stations, etc.....   | 72    | for mileage, officers, etc.....  | 75    |
| helium production.....   | 72    | for 10 per cent, officers on foreign service. for 20 per cent, enlisted men on foreign service.....                                    | 76    |
| aircraft, etc., research.....  | 72    | for computer, Artillery Board.....   | 76    |
| purchase, manufacture, etc., of aircraft, equipment, etc.....  | 72    | for loss by exchange, disbursements abroad and in Alaska.....  | 76    |
| consulting engineers, etc.....   | 72    | for additional pay to officers furnishing their own mounts.....  | 76    |
| special apparatus, etc., for medical research.....   | 72    | for Jennie Carroll.....  | 76    |
| allotment of expenditures to specified objects.....  | 73    | for Mabel H. Lazear.....   | 76    |
| paying damages from aircraft.....  | 73    | for John R. Kissinger.....   | 76    |
| Frank D. Kohn.....   | 73    | for clerks, etc., Finance Department....   | 76    |
| Lonoke, Ark., Chamber of Commerce.....   | 73    | pay of persons attending advanced course training camps herefrom....   | 76    |
|  |       | pay accounts specified.....  | 76    |
|  |       | settlement of pay, etc., claims, World War service, April 6, 1917, to June 30, 1919, from balance of Army pay appropriation, 1919..... | 76    |
|  |       | reduction of Army directed that sum appropriated shall defray entire pay of enlisted men for year 1922..                               | 76    |

# INDEX.

V

| <i>Army—Continued.</i>  | Page. |
|---|-------|
| appropriation for subsistence supplies . . . .  | 76    |
| sales to officers . . . . .   | 77    |
| meals to competitors in national rifle match . . . . .  | 77    |
| for payments; commutation of rations, Military Academy, enlisted men, etc. . . . .                                | 77    |
| for regular quartermaster supplies . . . . .  | 77    |
| heat and light to quarters . . . . .  | 77    |
| recreation buildings . . . . .  | 77    |
| post bakeries, ice machines, laundries, etc. . . . .  | 78    |
| post and officers' schools . . . . .  | 78    |
| forage, etc., for animals . . . . .   | 78    |
| stationery, printing, etc. . . . .  | 78    |
| civilian employees . . . . .  | 78    |
| allotment of expenditures to other designated objects . . . . .   | 78    |
| sale of horses not in actual use, directed . . . . .  | 78    |
| contracts for fuel to meet requirements for one year, allowed . . . . .   | 78    |
| for incidental expenses . . . . .   | 79    |
| hire of labor . . . . .   | 79    |
| civilian employees . . . . .  | 79    |
| for transportation . . . . .  | 79    |
| travel allowances . . . . .   | 79    |
| on land grant roads . . . . .   | 80    |
| 50 per cent to roads not bond aided . . . . .   | 80    |
| full pay to excepted roads . . . . .  | 80    |
| draft animals, wagons, etc. . . . .   | 80    |
| vessels, transport service, etc. . . . .  | 80    |
| allotment to designated objects . . . . .   | 80    |
| purchase of animals and animal drawn vehicles limited . . . . .   | 80    |
| motor vehicles restriction . . . . .  | 80    |
| sale, etc., of motor vehicles directed; aggregate designated . . . . .  | 81    |
| use of transports for officials of Porto Rico, etc. . . . .   | 81    |
| extra pay, harbor boats employees . . . . .   | 81    |
| purchase of motor vehicles restricted . . . . .   | 81    |
| for water and sewers at posts . . . . .   | 81    |
| new work limited . . . . .  | 81    |
| for clothing, and camp and garrison equipage . . . . .  | 81    |
| indemnity for destroyed clothing . . . . .  | 82    |
| settlement of clothing accounts to be at designated periods . . . . .   | 82    |
| issue of uniforms to discharged enlisted men, repealed . . . . .  | 82    |
| applications from men serving between April 6, 1917, and January 1, 1920, to be granted; time limit for . . . . . | 82    |
| transfer from designated appropriations during 1922, of amounts necessary for transportation . . . . .            | 82    |
| for horses; limit, etc. . . . .   | 82    |
| breeding of riding . . . . .  | 82    |
| acceptance of donated breeding horses, etc. . . . .   | 83    |
| for barracks and quarters . . . . .   | 83    |
| reclamation plants, etc. . . . .  | 83    |
| not available for office rent of military attachés . . . . .  | 83    |
| for post exchanges . . . . .  | 83    |
| recreation expenses . . . . .   | 83    |
| "Hostess Houses" . . . . .  | 83    |
| for barracks and quarters, Philippine Islands . . . . .   | 83    |
| troops in China . . . . .   | 84    |

| <i>Army—Continued.</i>   | Page. |
|--|-------|
| appropriation for roads, walks, wharves, and drainage at posts . . . . .   | 84    |
| for post hospitals, construction, repair, etc. . . . .   | 84    |
| temporary hospitals, etc. . . . .  | 84    |
| for quarters for hospital stewards . . . . .   | 84    |
| for shooting galleries and ranges . . . . .  | 84    |
| for payment of damage claims, target practice . . . . .  | 84    |
| for rent of buildings for, in District of Columbia; restriction . . . . .  | 85    |
| for vocational training . . . . .  | 85    |
| salary restrictions . . . . .  | 85    |
| for rifle ranges for civilian instruction; quartermaster supplies . . . . .  | 85    |
| transportation, subsistence, etc.; travel pay, etc. . . . .  | 86    |
| commutation of traveling expenses . . . . .  | 86    |
| for Reserve Officers' Training Corps; quartermaster supplies, equipment, etc. . . . .                                | 86    |
| training camps . . . . .   | 86    |
| travel pay, etc.; return pay in advance . . . . .  | 86    |
| commutation of subsistence . . . . .   | 86    |
| for military supplies to other schools and colleges . . . . .  | 86    |
| for inland and port storage facilities . . . . .   | 86    |
| funds available for, after July, 1921 . . . . .  | 87    |
| clerical, etc., services restriction . . . . .   | 87    |
| for Medical Department; supplies, etc. . . . .   | 87    |
| mosquito destruction, Canal Zone . . . . .   | 87    |
| preventing spread of epidemics . . . . .   | 87    |
| civilian employees, etc. . . . .   | 87    |
| tuition of officers, etc. . . . .  | 87    |
| transporting supplies, etc. . . . .  | 87    |
| Hot Springs, Ark., hospital . . . . .  | 87    |
| miscellaneous expenses . . . . .   | 87    |
| for hospital care, Canal Zone garrisons . . . . .  | 87    |
| for Medical Museum . . . . .   | 88    |
| for library, Surgeon General's Office . . . . .  | 88    |
| for care of insane Filipino and Porto Rican soldiers . . . . .   | 88    |
| for Engineer Department; expenses, etc., of depots . . . . .   | 88    |
| for Engineer School . . . . .  | 88    |
| tuition of student officers at technical institutions . . . . .  | 88    |
| for engineer equipment of troops . . . . .   | 89    |
| for civilian assistants . . . . .  | 89    |
| for engineer operations in the field . . . . .   | 89    |
| for contingencies in the Philippines . . . . .   | 89    |
| for military surveys, maps, etc. . . . .   | 89    |
| offices to assist . . . . .  | 89    |
| for roads, bridges, and trails, Alaska . . . . .   | 90    |
| local, etc., contributions; preliminary investigations, etc., of connections with designated coal deposits . . . . . | 90    |
| for Ordnance Department; current expenses . . . . .  | 90    |
| restriction on use of motor vehicles . . . . .   | 90    |
| material to be of American manufacture, etc. . . . .   | 90    |
| for airplane bombs; ammunition for small arms, etc. . . . .  | 90    |
| for small arms target practice; ammunition, marksmen's medals, prizes, etc. . . . .                                  | 91    |
| for manufacture, etc., of arms . . . . .   | 91    |
| for devices for airplane bombs . . . . .   | 91    |
| for manufacture, repairing, etc., ordnance stores . . . . .  | 91    |

| <i>Army—Continued.</i>  | <i>Page.</i> | <i>Army—Continued.</i>  | <i>Page.</i> |
|---|--------------|---|--------------|
| appropriation for purchasing, etc., ordnance stores for issue.....  | 91           | deficiency appropriation for subsistence ..   | 52           |
| for annual rifle contests, trophy, medals, etc.....   | 91           | for transportation.....   | 52, 196      |
| for automatic machine rifles, etc.....  | 91           | for roads, walks, wharves, etc.....   | 52           |
| for purchase, etc., of tanks, etc.....  | 91           | for post hospitals, construction, etc.....  | 52           |
| for Chemical Warfare Service.....   | 91           | for shooting galleries and ranges.....  | 52           |
| for National Guard, expenses for arming, equipping, training, etc.....  | 92           | for Engineer Department.....  | 52, 56, 196  |
| for animals for mounted units.....  | 92           | for Ordnance Department.....  | 52, 196      |
| for forage, bedding, etc.....   | 92           | for National Guard.....   | 52, 196      |
| for care of material, animals, and equipment.....   | 92           | for civilian military training camps.....   | 52           |
| for instruction camps.....  | 92           | for national cemeteries.....  | 52, 197      |
| for expenses, attending service schools..   | 92           | for disposition of remains of officers, enlisted men, etc.....  | 52, 197      |
| for National Guard officers detailed with Army.....   | 92           | for arming and equipping the Militia.....   | 52           |
| for property and disbursing officers.....   | 92           | for sodium nitrate storage.....   | 52           |
| for equipment and instruction, National Guard.....  | 92           | for Military Academy.....   | 56           |
| for travel expenses, Federal officers with National Guard.....  | 92           | for General Staff Corps.....  | 196          |
| for repairs to Federal property issued to National Guard.....   | 92           | for Air Service.....  | 196          |
| for transportation of supplies, etc.....  | 92           | for mileage, officers, contract surgeons, etc.....  | 196          |
| for expenses, Army sergeant instructors..   | 92           | for clothing, and camp and garrison equipage.....   | 196          |
| for office rent, inspectors.....  | 92           | for inland and port storage, etc., facilities..   | 196          |
| for armory drills, National Guard; accounting, etc.....   | 92           | for Organized Militia.....  | 196          |
| interchangeable expenditures.....   | 92           | for fortifications.....   | 196          |
| for arms, equipment, etc., for field service.....   | 92           | for pensions.....   | 197          |
| issue of Army equipment, clothing, etc..  | 93           | emergency appropriation for cooperation with States in protecting, against venereal diseases, 1922.....   | 61           |
| for arms, etc., civilian rifle practice....   | 93           | automobile to be transferred to Alien Property Custodian.....   | 29           |
| for camps for civilian military training..  | 93           | Camp Eustis, Va.; direction for sale of, repealed.....  | 202          |
| uniforms, subsistence, transportation, etc.....   | 93           | cots loaned for Grand Army encampment at Indianapolis, Ind.....   | 203          |
| age limit.....  | 93           | destitute soldiers honorably discharged in Europe, and families to be furnished free passage therefrom to United States, on Army transports.....                            | 103          |
| for Reserve Officers' Training Corps, arms and ordnance equipment.....  | 93           | from Siberia.....   | 103          |
| for civilian employees, etc., Tank Service for tank schools, expenses.....  | 94           | expenses of ceremonies at burial of unknown American soldier in Arlington Memorial Amphitheater payable from appropriation for disposition of remains of officers, etc..... | 207          |
| purchase of articles that can be produced at arsenals restricted.....   | 94           | including transporting troops, etc., to and from Washington.....  | 207          |
| no pay to officer, etc., using time measuring device on work of employee.....                                     | 94           | amount limited.....   | 207          |
| for transportation of wounded, etc., soldiers, sailors, and marines on furlough.....                              | 94           | medal of honor and distinguished service cross bestowed upon unknown unidentified American to be buried in Arlington Memorial Amphitheater..                                | 191          |
| for plans, work, etc., for increasing water supply, District of Columbia.....                                     | 94           | Ogden Arsenal, Utah, amount available for developing water supply.....  | 63           |
| sixty per cent from District revenues..   | 94           | surplus road making materials, etc., transferred to Secretary of Agriculture under Federal Highway Act.....   | 213          |
| cancellation of claim against Texas National Guard for property lost, etc., during Corpus Christi floods, 1919... | 94           | tents, etc., loaned for United Confederate Veterans' encampment, Chattanooga, Tenn.....   | 203          |
| for Emil Hugli.....   | 94           | tobacco, cigars, etc., forfeited and unsold, may be delivered free of tax to hospitals for members of.....  | 205          |
| for Military Academy.....   | 95           | transfer of motor vehicles to Botanic Garden.....   | 29           |
| pay to civilian employees not to exceed that paid in same locality by private individuals.....                    | 103          | one passenger motor vehicle to Government Printing Office.....  | 50           |
| deficiency appropriation for increase of compensation.....  | 52, 56, 196  | unexpended balances for settling contracts, etc., suspended on account of armistice available during 1922.....  | 63           |
| for registration and selection for military service.....  | 52, 56, 196  | allowance for personal services.....  | 63           |
| for Military Intelligence Division, contingencies.....  | 52, 56, 196  | use of unexpended balance for acquiring land for Infantry School, Camp Benning, Ga.....   | 62           |
| for Signal Service.....   | 52, 196      |   |              |
| for enlisted men, extra duty pay.....   | 52           |   |              |
| for pay, etc.....   | 52, 56, 196  |   |              |
| for Medical Department.....   | 52, 56, 196  |   |              |
| for Quartermaster Corps.....  | 52, 56, 196  |   |              |

# INDEX

vii

|  | Page.       |  | Page.       |
|--|-------------|--|-------------|
| <i>Army Field Clerks,</i>                            |             | <i>Attorneys, United States Courts,</i>      |             |
| appropriation for pay.....                           | 75          | deficiency appropriation for assistant, in   |             |
| foreign service.....                                 | 75          | special cases.....                           | 40          |
| for mileage.....                                     | 75          | foreign counsel.....                         | 40          |
| <i>Army School of the Line, Fort Leavenworth,</i>    |             | <i>Audited Claims,</i>                       |             |
| <i>Kans.</i>   |             | deficiency appropriation for paying, certi-  |             |
| appropriation for instruction expenses....           | 69          | fied by accounting officers.....             | 51, 55, 195 |
| <i>Army Transport Service,</i>                       |             | <i>Auditor for Interior Department,</i>      |             |
| appropriation for subsistence, etc.....              | 77          | deficiency appropriation for paying claims   |             |
| <i>Arrears of Pay,</i>                               |             | certified by.....                            | 53, 56      |
| deficiency appropriation for, Civil War              |             | duties, etc., of, vested in General Account- |             |
| volunteers.....                                      | 52, 56, 196 | ing Office.....                              | 24          |
| <i>Arsenals and Armories,</i>                        |             | office of, abolished July 1, 1921.....       | 25          |
| allowance for Ogden, Utah, water supply              |             | employees, books, etc., of, transferred to   |             |
| from appropriation for ammunition                    |             | General Accounting Office.....               | 25          |
| storage facilities, etc., 1921.....                  | 63          | appropriations for, made available for       |             |
| purchase of articles for the Army that can           |             | Accounting Office.....                       | 26          |
| be made at, for a less price, forbidden              | 94          | <i>Auditor for Navy Department,</i>          |             |
| <i>Art Porcelains and Bronzes,</i>                   |             | deficiency appropriation for paying claims   |             |
| excise tax on, sold by other than the artist;        |             | certified by.....                            | 52, 56      |
| exceptions.....                                      | 292         | duties, etc., of, vested in General Account- |             |
| <i>Artificial Limbs for Disabled Soldiers, etc.,</i> |             | ing Office.....                              | 24          |
| deficiency appropriation for.....                    | 196         | office of, abolished July 1, 1921.....       | 25          |
| <i>Artillery Board, Army,</i>                        |             | employees, books, etc., of, transferred to   |             |
| appropriation for computer.....                      | 76          | General Accounting Office.....               | 25          |
| <i>Arundel Sand and Gravel Corporation,</i>          |             | appropriations for, made available for       |             |
| deficiency appropriation for paying judg-            |             | Accounting Office.....                       | 26          |
| ment of Virginia eastern district                    |             | <i>Auditor for Post Office Department,</i>   |             |
| court to.....  | 51          | deficiency appropriation for paying claims   |             |
| <i>Assessment of Ad Valorem Duties,</i>              |             | certified by.....                            | 55, 59      |
| imports not to be assessed on less than              |             | balances of appropriations for employees     |             |
| export value.....                                    | 15          | auditing postal service vouchers,            |             |
| export value determined by usual wholesale           |             | etc., 1920, 1921, reappropriated for         |             |
| price in principal market of country                 |             | fiscal year 1922.....                        | 62          |
| of export at time thereof.....                       | 15          | duties, etc., of, vested in General Account- |             |
| packing, etc., costs included.....                   | 16          | ing Office.....                              | 24          |
| United States import duties, shipment                |             | administrative examination of postal ac-     |             |
| expenses, etc., deducted.....                        | 16          | counts by, transferred July 1, 1921,         |             |
| export taxes added.....                              | 16          | to Bureau of Accounts, Post Office           |             |
| value, in appraising imports, to mean                |             | Department.....                              | 24          |
| market, or export, whichever is                      |             | personnel engaged in, transferred to         |             |
| higher.....  | 16          | Bureau of Accounts.....                      | 24          |
| forfeiture sales, drawbacks, etc., ex-               |             | appropriations for salaries and expenses,    |             |
| cepted.....  | 16          | 1922, and books, records, etc., trans-       |             |
| of component material, determined by                 |             | ferred and apportioned to Bureau of          |             |
| Tariff Act of 1913.....                              | 16          | Accounts and General Accounting              |             |
| meaning of Tariff Act of 1913.....                   | 16          | Office.....                                  | 24          |
| <i>Assistant Secretary of War,</i>                   |             | office of, abolished July 1, 1921.....       | 25          |
| emergency appropriation for increased                |             | employees, books, etc., not elsewhere        |             |
| salary, 1922.....                                    | 62          | provided for, transferred to General         |             |
| <i>Assistant Treasurers,</i>                         |             | Accounting Office.....                       | 25          |
| internal revenue stamps to be sold by;               |             | appropriations for, made available for       |             |
| bond, etc.....                                       | 303         | Accounting Office, etc.....                  | 26          |
| <i>Assistants to Attorney General, etc.,</i>         |             | <i>Auditor for State, etc., Departments,</i> |             |
| deficiency appropriation for, and foreign            |             | deficiency appropriation for paying claims   |             |
| counsel.....   | 40          | certified by.....                            | 53, 58      |
| <i>Atchison, Topeka and Santa Fe Railway</i>         |             | duties, etc., of, vested in General Account- |             |
| <i>Company,</i>                                      |             | ing Office.....                              | 24          |
| may bridge Des Moines River, Dumas, Mo.              | 28          | office of, abolished July 1, 1921.....       | 25          |
| <i>Atlanta, Ga.,</i>                                 |             | employees, books, etc., of, transferred to   |             |
| deficiency appropriation for penitentiary,           |             | General Accounting Office.....               | 25          |
| maintenance.....                                     | 41, 194     | appropriations for, made available for       |             |
| for penitentiary, water tank.....                    | 194         | Accounting Office.....                       | 26          |
| <i>Attorney General,</i>                             |             | <i>Auditor for Treasury Department,</i>      |             |
| deficiency appropriation for automobile for,         | 40          | deficiency appropriation for paying claims   |             |
| for preparing supplemental digest of                 |             | certified by.....                            | 51, 55      |
| Vols. 26 to 32, Opinions of.....                     | 40          | duties, etc., of, vested in General Account- |             |
| to serve on commission to act on suspen-             |             | ing Office.....                              | 24          |
| sion of boards of trade as contract                  |             | office of, abolished July 1, 1921.....       | 25          |
| markets.....   | 188         | employees, records, etc., of office of,      |             |
| refusing board of trade privileges to                |             | transferred to General Accounting            |             |
| persons violating provisions hereof,                 |             | Office.....                                  | 25          |
| etc.....   | 189         | appropriations for, made available for       |             |
|  |             | Accounting Office.....                       | 26          |



|  | Page.  |  | Page. |
|--|--------|--|-------|
| <i>Auditor for War Department</i> ,<br>deficiency appropriation for paying claims<br>certified by.....   | 52, 56 | <i>Baltimore Dry Docks and Shipbuilding<br/>Company</i> ,<br>deficiency appropriation for paying judg-<br>ment of Maryland district court for.....                             | 195   |
| duties, etc., of, vested in General Account-<br>ing Office.....  | 24     | <i>Baltimore, Md.</i> ,<br>deficiency appropriation for quarantine<br>station, improvements.....   | 38    |
| office of, abolished July 1, 1921.....   | 25     | <i>Banking, Foreign</i> (see Federal Reserve Act<br>Amendments).....   |       |
| employees, books, etc., of, transferred to<br>General Accounting Office.....   | 25     | <i>Banks, etc.</i> ,<br>advances by War Finance Corporation<br>authorized to, making advances to<br>dealers or producers of agricultural<br>products, until exported, etc..... | 181   |
| appropriations for, made available for<br>Accounting Office.....   | 26     | for agricultural products, including live<br>stock.....  | 182   |
| <i>Austria-Hungary</i> (see also World War),<br>declaration of end of war with.....  | 106    | discounting notes, etc., issued therefor;<br>conditions, etc.....  | 182   |
| <i>Austro-Hungarian Government, Imperial and<br/>Royal</i> (see also War with Austria-<br>Hungary),<br>war with, declared at an end.....   | 106    | purchase authorized by War Finance Cor-<br>poration from, of commercial paper<br>secured by agricultural products, in-<br>cluding live stock; conditions, etc..                | 182   |
| <i>Automatic Machine Rifles, Army</i> ,<br>appropriation for purchase, etc.....  | 91     | <i>Barley</i> (see also Future Trading Act),<br>provisions governing contracts for future<br>delivery of.....  | 187   |
| <i>Automobile Trucks and Wagons</i> ,<br>excise tax on sales of, and accessories, by<br>producer, etc.....   | 291    | <i>Barracks and Quarters, Army</i> ,<br>appropriation for, storehouses, furniture,<br>etc.....   | 83    |
| tractors excepted.....   | 291    | rent of offices for military attachés<br>forbidden.....  | 83    |
| tires, etc., to other than manufacturer..  | 291    | for shelter in the Philippines.....  | 83    |
| <i>Automobiles</i> ,<br>excise tax on sales of, and accessories, by<br>producer, etc.....  | 291    | rentals in China.....  | 84    |
| tires, etc., to other than manufacturer..  | 291    | deficiency appropriation for.....  | 196   |
| special tax on operators of passenger, for<br>hire.....  | 296    | <i>Barracks, Marine Corps</i> ,<br>appropriation for repairs, improvements,<br>etc.....  | 138   |
| <i>Aviation, Army</i> (see also Air Service, Army)<br>deficiency appropriation for increase for,<br>Signal Corps.....  | 196    | <i>Beans</i> ,<br>temporary duty on, prepared, etc.....  | 9     |
| <i>Aviation, Navy</i> (see also Bureau of Aero-<br>nautics, Navy),<br>appropriation for aircraft.....  | 123    | <i>Beef</i> ,<br>temporary duty on, fresh or frozen.....   | 10    |
| for new construction, etc.....   | 123    | <i>Bellevue, Iowa</i> ,<br>disposal of unsold lots in town site.....   | 186   |
| for equipment, etc.....  | 123    | sale to present occupants on application.....  | 186   |
| for aircraft factory, helium plant, air<br>stations, etc.....  | 123    | donation of, used for public improve-<br>ments, to the municipality.....   | 186   |
| for experimenting and developing air-<br>craft.....  | 123    | remainder to be sold at appraised value,<br>etc.....   | 187   |
| for drafting, clerical, etc., services.....  | 123    | <i>Beneficiary Societies, Fraternal, etc.</i> ,<br>exempt from income tax.....   | 253   |
| for new construction, improvements,<br>etc., at designated stations.....   | 123    | <i>Benson, William S.</i> ,<br>unexpended balance available for pay of, as<br>agent of the President on Shipping<br>Board from March 4, 1921.....                              | 35    |
| disbursement and accounting.....   | 123    | for salary as unconfirmed member of<br>Shipping Board.....   | 35    |
| damage claims to be adjusted, etc.,<br>by the Secretary; limit; report to<br>Congress.....   | 123    | additional appropriation for.....  | 35    |
| limit of coast stations.....   | 124    | <i>Bethlehem, Pa.</i> ,<br>post office building and site, to be sold.....  | 27    |
| use for airplane factory prohibited....  | 124    | proceeds deposited in the Treasury.....  | 27    |
| deficiency appropriation for.....  | 197    | <i>Beverages, Tax on, Title VI, Revenue Act of<br/>1918</i> ,<br>repeal of sections relating to soft drinks, ice<br>cream, and similar articles in.....                        | 321   |
| <b>B.</b>  |        | <i>Beverages Tax, Title VI, Revenue Act of 1921</i> ,<br>additional tax on distilled spirits, paid<br>at nonbeverages rates, diverted to<br>beverage uses.....                 | 285   |
| <i>Baca Float Numbered Three, Private Land<br/>Claim, Arizona</i> ,<br>settlers, etc., evicted from patented lands<br>within, may have twice area in lieu<br>prevented from making final entry per-<br>mitted second homestead entry of<br>twice original..... | 107    | extracting water from high proof spirits to<br>produce absolute alcohol not deem-<br>ed rectification.....   | 285   |
| no further residence required.....   | 107    | alcohol exempt from tax.....   | 285   |
| right of selection and second entry not as-<br>signable.....   | 108    |  |       |
| limited to three years, etc.....   | 108    |  |       |
| not allowed as to sales, etc., since De-<br>cember 13, 1917.....   | 108    |  |       |
| proof required that selection is for per-<br>sonal use, etc.....   | 108    |  |       |
| regulations to be prescribed.....  | 108    |  |       |
| <i>Balloon Schools, Army</i> (see also Air Service,<br>Army),<br>appropriation for expenses of maintenance,<br>etc.....  | 72     |  |       |

# INDEX.

ix

| <i>Beverages Tax, Title VI, Revenue Act of 1921—Continued.</i>  | <i>Page.</i> |   | <i>Page.</i> |
|---|--------------|---|--------------|
| tax on sales by manufacturers, etc.; cereal beverages.....  | 285          | <i>Bonds, etc.,</i>   |              |
| unfermented fruit juices for beverages..  | 285          | designated, subject to stamp tax.....   | 301          |
| carbonated soft drinks.....   | 285          | exemptions; Federal, foreign govern-  |              |
| still drinks.....   | 285          | ment, State, etc.....   | 301          |
| mineral and table waters, in bottles, etc.  | 285          | indemnity, to United States.....  | 301          |
| finished or fountain sirups for soft drinks   | 285          | building and loan associations.....   | 301          |
| for bottled carbonated beverages.....   | 285          | mutual ditch or irrigating companies..  | 302          |
| by soda fountain proprietors, etc.....  | 285          | <i>Bonds, Farm Loan,</i>  |              |
| used by manufacturers of bottled carbonated beverages.....  | 286          | demoninations authorized.....   | 159          |
| exempt if for cereal beverages or still drinks.....   | 286          | minimum term.....   | 159          |
| carbonic acid gas for beverages, etc.....   | 286          | rate of interest increased.....   | 159          |
| monthly returns to be made.....   | 286          | reduced on issues after June 30, 1923..   | 159          |
| information required.....   | 286          | <i>Bonds of Indebtedness,</i>   |              |
| payment of tax without assessment.....  | 286          | stamp tax on.....   | 303          |
| penalty tax for failure.....  | 286          | <i>Bonds, Territorial,</i>  |              |
| certificate of registry to be posted by taxpayer; penalty for failure.....                            | 286          | issue authorized by Hawaii for water projects, etc., of home lands.....   | 114          |
| <i>Big Horn River, Mont.,</i>   |              | <i>Bonds, War Finance Corporation,</i>  |              |
| appropriation for irrigation diversion dam on, in Crow Indian Reservation, immediately available..... | 4            | issue of, authorized; aggregate limited....   | 183          |
| <i>Billiard Rooms,</i>  |              | maturity; redemption; interest.....   | 183          |
| special tax on proprietors of.....  | 296          | first lien on all assets.....   | 183          |
| <i>Billings, Mont.,</i>   |              | for payment of advances, at par.....  | 183          |
| deficiency appropriation for public building.....   | 38           | at public sale, etc.; prices.....   | 183          |
| <i>Bills of Sale, etc.,</i>   |              | may be accepted as collateral for discounts by reserve banks.....   | 184          |
| stamp tax on, for stock certificates.....   | 304          | <i>Bonner County, Idaho,</i>  |              |
| sales at produce exchanges, etc., for future delivery.....  | 305          | bridge authorized across Pend d'Oreille River at Newport—Priest River road in.....  | 171          |
| <i>Binoculars,</i>  |              | <i>Bookkeeping and Warrants Division, Treasury Department,</i>  |              |
| excise tax on sales of, by dealers.....   | 293          | deficiency appropriation for force transferred from Public Moneys Division, 1922.....   | 36           |
| <i>Biologic Products,</i>   |              | compiling estimates by, transferred to Budget Bureau.....   | 22           |
| deficiency appropriation for regulating sale, etc.....  | 56           | duties of keeping ledger accounts of disbursing and collecting officers by, vested solely in General Accounting Office.....   | 24           |
| <i>Biological Survey Bureau, Department of Agriculture,</i>   |              | Public Moneys Division, of covering revenues, etc., into the Treasury, issuing duplicate checks and warrants, and certifying outstanding liabilities, transferred to..... | 25           |
| deficiency appropriation for general expenses.....  | 58, 198      | <i>Boonville, Mo.,</i>  |              |
| <i>Birmingham, Ala.,</i>  |              | bridge authorized across Missouri River at.....   | 173          |
| deficiency appropriation for public building.....   | 38           | <i>Borderland Coal Corporation,</i>   |              |
| <i>Birmingham, Ala., Semicentennial,</i>  |              | may bridge Tug Fork, Big Sandy River, Borderland, W. Va.....  | 65           |
| special canceling stamps authorized for, at Birmingham post office.....                               | 186          | <i>Borderland, W. Va.,</i>  |              |
| <i>Bismarck, N. Dak.,</i>   |              | bridge authorized across Tug Fork, Big Sandy River at.....  | 65           |
| deficiency appropriation for Indian school.....   | 57           | <i>Boston Herald,</i>   |              |
| <i>Black Death,</i>   |              | deficiency appropriation for advertising...   | 43           |
| deficiency appropriation for prevention of epidemic.....  | 38           | <i>Boston, Mass.,</i>   |              |
| <i>Blind Children, D. C.,</i>   |              | deficiency appropriation for quarantine station, improvements.....  | 38           |
| deficiency appropriation for instruction of, out of the District.....                                 | 30           | drawless bridges authorized across Charles River to Cambridge from.....   | 219          |
| <i>Board of Maternity and Infancy Hygiene (see also Maternity and Infancy Hygiene Act),</i>           |              | <i>Boston Post,</i>   |              |
| creation of, composition, organization, and authority.....  | 224          | deficiency appropriation for advertising...   | 43           |
| <i>Board of Visitors, Military Academy,</i>   |              | <i>Botanic Garden, D. C.,</i>   |              |
| appropriation for expenses.....   | 99           | transfer of Army motor vehicles to.....   | 29           |
| <i>Board of Visitors, Naval Academy,</i>  |              | <i>Boundary Line,</i>   |              |
| appropriation for expenses.....   | 135          | reestablishment of, by Pennsylvania and Delaware, consented to.....   | 104          |
| <i>Boards of Trade,</i>   |              | <i>Bounty, Civil War Volunteers,</i>  |              |
| exempt from income tax.....   | 253          | deficiency appropriation for.....   | 196          |
| <i>Boards of Trade, Grain (see also Future Trading Act),</i>  |              | <i>Bovay, Harry E.,</i>   |              |
| designation of, as contract markets.....  | 188          | may bridge White River, De Valls Bluff, Ark.....  | 323          |
| conditions and requirements specified...  | 188          | <i>Bowie County, Tex.,</i>  |              |
| <i>Boats, Pleasure, etc.,</i>   |              | and Cass County may bridge Sulphur River.....   | 204          |
| special tax imposed on users of.....  | 297          |   |              |
| exemption, for relief of seamen, etc.....   | 298          |   |              |

|  |     |  |       |
|--|-----|--|-------|
| <i>Bowie Knives</i> ,<br>excise tax on, sold by producer, etc.....   | 292 | <i>Broadview Hospital, Chicago, Ill.—Contd.</i>  | Page. |
| <i>Bowling Alleys</i> ,<br>special tax on proprietors of.....  | 296 | emergency appropriation for; construction<br>work under contract, or open market<br>employment, etc.....           | 62    |
| <i>Boys' and Girls' Canning Clubs</i> ,<br>exempt from tax on child labor employ-<br>ment.....                                 | 306 | supervision under Secretary of the<br>Treasury.....  | 62    |
| <i>Brass or Metallic Knuckles</i> ,<br>excise tax on, sold by producer, etc.....   | 292 | <i>Brokers</i> ,<br>special tax imposed on.....  | 295   |
| <i>Brazil</i> ,<br>acceptance of invitation from, to partici-<br>pate in International Exposition at<br>Rio de Janeiro.....    | 209 | additional, if a member of stock exchange<br>verified details of business conducted by,<br>may be required.....    | 295   |
| provisions for exhibits, etc.....  | 209 | <i>Bronzes, Art</i> ,<br>excise tax on, sold by other than the<br>artist; exceptions.....                          | 292   |
| <i>Bread, D. C.</i> ,<br>standard loaf of, to weigh one pound.....   | 201 | <i>Bubonic Plague</i> ,<br>deficiency appropriation for prevention of<br>epidemic.....                             | 38    |
| designated weights allowed; pound and<br>a half added.....   | 201 | <i>Budget and Accounting Act, 1921</i> ,<br>construction of terms.....   | 20    |
| printed labels required.....   | 201 | the Budget, to be transmitted to Congress<br>yearly by the President.....  | 29    |
| sellers to keep scales, etc.....   | 202 | estimates of expenditures and appropria-<br>tions for ensuing year.....  | 20    |
| crackers, pretzels, rolls, excepted.....   | 202 | for Congress and the Supreme Court<br>without revision.....  | 20    |
| variation allowed.....   | 202 | estimates of receipts during fiscal year...<br>statement of expenses and receipts for<br>the last fiscal year..... | 20    |
| <i>Brewers</i> ,<br>additional special tax on business of, where<br>forbidden by State, etc., laws.....                        | 296 | estimate of expenses and receipts of<br>current year.....  | 20    |
| no immunity from penalty, etc.....   | 296 | amount available November 1st of<br>current year.....  | 20    |
| <i>Bridges</i> ,<br>construction of, authorized across Alle-<br>gheny River, Pa.....   | 104 | statement of condition of the Treasury<br>at end of last fiscal year.....  | 20    |
| Charles River, Mass., drawless.....  | 219 | estimates for current year.....  | 20    |
| Des Moines River, Mo.....  | 28  | estimates for ensuing year.....  | 21    |
| Grand Calumet River, Ind.....  | 325 | all indebtedness.....  | 21    |
| Great Peedee River, S. C.....  | 322 | other data of financial conditions.....  | 21    |
| Mahoning River, Ohio.....  | 3   | recommendations to be made in, if<br>estimated resources less than pro-<br>posed expenses.....                     | 21    |
| Missouri River, Mo.....  | 173 | if proposed expenses less than esti-<br>mated resources.....   | 21    |
| Ohio River, Huntington, W. Va.....   | 171 | supplemental or deficiency estimates for<br>necessary expenses, authorized....                                     | 21    |
| Ironton, Ohio.....   | 4   | reasons for, to accompany.....   | 21    |
| Pearl River, Miss.....   | 219 | recommendations for, if estimated re-<br>sources exceeded by.....  | 21    |
| Pend d'Oreille River, Idaho.....   | 171 | former arrangement of estimates, etc.,<br>continued.....   | 21    |
| Potomac River, Md.....   | 7   | statements to accompany estimates for<br>lump sum appropriations.....  | 21    |
| Rio Grande, El Paso, Tex.....  | 205 | in lieu of present requirements.....   | 21    |
| Rock River, Ill.....   | 325 | alternative budget for fiscal year 1923 to<br>be submitted.....  | 21    |
| Saint Marys River, Saint Marys, Ga.....  | 204 | form, explanation, recommendations,<br>etc., to accompany.....   | 21    |
| Wilda Landing Ferry, Ga. and Fla....   | 204 | submission of estimates, recommendations,<br>etc., to Congress by any other officer<br>or employee forbidden.....  | 21    |
| Savannah River, S. C.....  | 322 | at request of either House excepted.....   | 21    |
| Sulphur River, Tex.....  | 204 | Bureau of the Budget created in the<br>Treasury Department.....  | 22    |
| Tombigbee River, Miss.....   | 324 | Director and Assistant Director of, to be<br>appointed; salaries.....  | 22    |
| Tug Fork, Big Sandy River, W. Va.....  | 65  | duties of Assistant Director.....  | 22    |
| White River, Des Arc, Ark.....   | 323 | to prepare the Budgets, deficiency esti-<br>mates, etc.....  | 22    |
| near De Valls Bluff, Ark.....  | 323 | authority as to Department, etc., esti-<br>mates.....  | 22    |
| Willamette Falls Canal, Oreg.....  | 19  | personnel appointments, etc., office ex-<br>penses, etc., subject to the Director..                                | 22    |
| reconstructing approaches, etc., to, across<br>Mississippi River at Memphis, Tenn.,<br>dispensed with.....                     | 172 | pay restrictions.....  | 22    |
| time extended for constructing, Arkansas<br>River, Fort Gibson, Okla.....  | 104 |  |       |
| Webbers Falls, Okla.....   | 104 |  |       |
| Choctawhatchee River, Caryville, Fla..   | 220 |  |       |
| Cumberland River, near Clarksville,<br>Tenn.....   | 205 |  |       |
| Red River of the North, Pembina,<br>N. Dak.....  | 19  |  |       |
| Roanoke River, Halifax County, N. C..  | 170 |  |       |
| <i>Bridges, D. C.</i> ,<br>deficiency appropriation for construction<br>and repair.....  | 33  |  |       |
| <i>Broadbent Portable Laundry Corporation</i> ,<br>judgment of Court of Claims in favor of,<br>not to be paid.....             | 195 |  |       |
| <i>Broadview Hospital, Chicago, Ill.</i> ,<br>emergency appropriation for recreation<br>building, walks, grounds, etc., 1922.. | 62  |  |       |
| technical services, etc.; limitation....   | 62  |  |       |

# INDEX.

xi

| <i>Budget and Accounting Act, 1921—Contd.</i>   | <i>Page.</i> | <i>Budget and Accounting Act, 1921—Contd.</i>   | <i>Page.</i> |
|---|--------------|---|--------------|
| Bureau of the Budget; transfer of employees to, permitted until June 30, 1922.....                                | 22           | Bureau of Post Office Department established for administrative examination of postal service accounts, etc.. | 24           |
| employees of, allowed bonus of \$240 a year.....  | 22           | Comptroller of; appointment and salary..  | 24           |
| to make studies, etc., for securing greater economy and efficiency in the public service.....                     | 22           | duties specified.....   | 24           |
| as to changes in existing organizations, activities, and business methods....                                     | 22           | salary of Auditor for Post Office Department available for.....   | 24           |
| of appropriations therefor.....   | 22           | personnel of Auditor's Office on administrative examination of accounts transferred to.....                   | 24           |
| assignment of activities and services..   | 22           | appropriations for Auditor's Office transferred to, and General Accounting Office.....                        | 24           |
| regrouping of services.....   | 22           | General Accounting Office to settle and adjust all public accounts.....                                       | 24           |
| report thereof to the President.....  | 22           | general laws of administration made applicable to.....  | 24           |
| transmittal to Congress with recommendations, etc.....  | 22           | certified transcripts, of records, etc., admitted as evidence.....  | 24           |
| to codify, for the President, all laws relating to preparing estimates, etc., for Congress.....                   | 22           | claims, etc., adjusted by, to be paid to disbursing officers.....   | 25           |
| transmittal to Congress with recommendations for changes, etc.....  | 22           | duties of Public Moneys Division transferred to Bookkeeping and Warrants Division.....                        | 25           |
| compiling of estimates transferred to....   | 22           | covering of revenues and repayments into the Treasury.....  | 25           |
| to furnish Congress information when requested.....   | 23           | issuing duplicate checks and warrants... ..   | 25           |
| departments, etc., to furnish information to, as required.....  | 23           | certifying outstanding liabilities.....   | 25           |
| access to records, etc., of, by Bureau personnel, authorized.....   | 23           | administrative procedure for fund accounting and examination, to be prescribed by Comptroller General..       | 25           |
| departments, etc., to designate Budget officer to prepare estimates therefor..                                    | 23           | offices of Auditors abolished July 1, 1921..  | 25           |
| supplemental and deficiency estimates revision by head of, and submission to Bureau.....                          | 23           | personnel of, transferred to General Accounting Office.....   | 25           |
| time required.....  | 23           | books, records, and other property also..   | 25           |
| preparation if not submitted.....   | 23           | of Bookkeeping, etc., Division relating to work transferred.....  | 25           |
| form, etc., of estimates to be prescribed by the President.....   | 23           | temporary quarters provided for Accounting Office.....  | 25           |
| appropriation for expenses of Bureau.....   | 23           | Comptroller General to appoint, etc., employees for Accounting Office.....                                    | 25           |
| General Accounting Office created.....  | 23           | application of civil service laws.....  | 25           |
| independent of executive departments under control of Comptroller General of the United States.....               | 23           | pay restrictions.....   | 25           |
| office of Comptroller of the Treasury and Assistant, abolished.....   | 23           | to assign duties to personnel.....  | 25           |
| personnel transferred at salaries, etc., to Accounting Office.....  | 23           | acts of officials specially designated therefor, to have force and effect of..                                | 25           |
| records, furniture, office equipment, etc., to become property of Accounting Office.....                          | 23           | to prescribe office rules and regulations..   | 25           |
| seal for General Accounting Office to be adopted.....   | 23           | to investigate all matters relating to receipt and disbursing of public funds.                                | 25           |
| Comptroller General of the United States and Assistant; appointment and salary.....                               | 23           | to report to Congress at each session the work of Accounting Office.....                                      | 25           |
| duties of Assistant.....  | 23           | recommendations for legislation to facilitate rendition of accounts, etc..                                    | 25           |
| and Assistant to hold office for fifteen years.....   | 23           | or in special reports, recommendations for greater economy and efficiency in public expenditures.....         | 26           |
| not eligible for reappointment.....   | 24           | to make special investigations, etc., when ordered by Congress or committees thereof.....                     | 26           |
| or Assistant removable only by joint resolution or impeachment.....   | 24           | or office assistants to furnish committees with information.....  | 26           |
| causes specified.....   | 24           | to specially report expenditures, etc., in violation of law.....  | 26           |
| ineligible for reappointment.....   | 24           | to report on adequacy and effectiveness of Departmental examination of accounts.....                          | 26           |
| or Assistant to be retired at seventy years of age.....   | 24           | inspection of accounts, fiscal officers, etc.....   | 26           |
| General Accounting Office vested with the duties of Comptroller of the Treasury and Auditors of the Treasury..... | 24           | to furnish information on request of Budget Bureau.....   | 26           |
| of Bookkeeping and Warrants Division, as to ledger accounts of disbursing and collecting officers.....            | 24           | departments, etc., to furnish, with information of their financial transactions, etc.....                     | 26           |
| balances certified by Comptroller General, final and conclusive.....  | 24           | access to records, etc., of, authorized; except diplomatic emergencies.....                                   | 26           |
| revision of Auditors' settlements discontinued, except those made before July 1, 1921.....                        | 24           |   |              |

|  |       |  |             |
|--|-------|--|-------------|
| <i>Budget and Accounting Act, 1921—Contd.</i>  | Page. | <i>Bureau of Engineering, Navy—Contd.</i>  | Page.       |
| eligible register of accountants for Accounting Office to be established by Civil Service Commission.....            | 26    | appropriation for equipment supplies....   | 134         |
| transfer to Accounting Office of appropriations for 1922 of offices abolished....                                    | 26    | clerical, etc., services.....  | 134         |
| Comptroller General may make changes, etc., of employees.....  | 26    | for engineering experiment station.....  | 134         |
| proportionate share of Treasury Department appropriations allotted to Accounting Office.....                         | 26    | for machinery, increase of the Navy.....   | 139         |
| employees of Accounting Office allowed additional pay of \$240 a year to civilian employees.....                     | 27    | deficiency appropriation for engineering..   | 197         |
| restrictions on transfers of employees, not applicable to Accounting Office until June 30, 1922.....                 | 27    | <i>Bureau of Medicine and Surgery, Navy,</i>   |             |
| Act to take effect on approval.....  | 27    | appropriation for surgeons' necessities....  | 130         |
| sections of, relating to general accounting office and postal accounts, July 1, 1921.....                            | 27    | clerical, etc., services.....  | 130         |
| <i>Budget Bureau (see Bureau of the Budget, Treasury Department).</i>  |       | for contingent.....  | 130         |
| <i>Buenos Aires, Argentina,</i>  |       | motor vehicles, ambulances, etc.....   | 130         |
| two delegates to be appointed to Pan American Postal Congress.....   | 145   | care of insane on Pacific coast.....   | 131         |
| <i>Building and Loan Associations, Mutual,</i>   |       | dental outfits.....  | 131         |
| exempt from income tax.....  | 253   | for care, etc., of hospital patients.....  | 131         |
| <i>Bureau of Accounts, Post Office Department,</i>   |       | deficiency appropriation for contingent...   | 197         |
| established for administrative examination of postal service vouchers and accounts.....                              | 24    | <i>Bureau of Navigation, Navy,</i>   |             |
| Comptroller of; appointment and salary..   | 24    | appropriation for transportation and recruiting.....   | 124         |
| administrative duties of Auditor for Post Office Department to be performed by.....                                  | 24    | naval service records during World War to be furnished to States, etc....                    | 124         |
| transfer of employees of Auditor's Office to records, office appropriations, etc.....                                | 24    | for services of employees preparing statements thereof, etc., in the Department.....         | 124         |
| <i>Bureau of Aeronautics, Navy,</i>  |       | for recreation for enlisted men.....   | 124         |
| created in Navy Department under the Secretary.....  | 140   | for contingent.....  | 124         |
| matters pertaining to naval aeronautics assigned to.....   | 140   | for gunnery and engineering exercises..  | 125         |
| Chief of, to be appointed from officers on active list of Navy or Marine Corps..                                     | 140   | for equipment instruments, supplies, etc.  | 125         |
| to qualify in one year as aircraft pilot or observer.....  | 140   | for ocean and lake surveys.....  | 125         |
| to serve four years; rank pay, etc.....  | 140   | for training stations, California.....   | 125         |
| detail of Assistant Chief; pay, duty, etc....  | 140   | Rhode Island.....  | 125         |
| chief clerk; transfer of personnel, records, etc., from other bureaus.....   | 140   | Great Lakes.....   | 126         |
| moneys available for use of Bureau.....  | 140   | Hampton Roads, Va.....   | 126         |
| details of officers and enlisted men for aviation duty as required by Secretary to meet requirements thereof.....    | 141   | for Naval Reserve Force.....   | 127         |
| officers failing to qualify as pilots or observers in one year, not exceeding 30 per cent, may remain in Bureau..... | 141   | for receiving barracks.....  | 127         |
| flying units, etc., to be commanded by flying officers.....  | 141   | for Naval War College.....   | 127         |
| <i>Bureau of Construction and Repair, Navy,</i>  |       | for Naval Home.....  | 127         |
| appropriation for construction and repair of vessels.....  | 133   | deficiency appropriation for transportation.....   | 52, 56, 197 |
| equipment of vessels.....  | 133   | for gunnery and engineering exercises....  | 52          |
| naval brig "Niagara".....  | 134   | for outfits on first enlistment.....   | 52, 56, 197 |
| clerical, etc., services.....  | 134   | for instruments and supplies.....  | 52, 197     |
| for construction, increase of the Navy....   | 139   | for Naval War College.....   | 52          |
| for authorized submarines.....   | 139   | for Naval Reserve Force.....   | 197         |
| deficiency appropriation for construction and repair.....  | 53    | <i>Bureau of Ordnance, Navy,</i>   |             |
| <i>Bureau of Engineering, Navy,</i>  |       | appropriation for ordnance and ordnance stores.....  | 127         |
| appropriation for machinery, repairs, etc..  | 134   | clerical, etc., services.....  | 128         |
| coast signal service; radio shore stations   | 134   | for smokeless powder.....  | 128         |
|  |       | for experimental work, projectiles, etc....  | 128         |
|  |       | for contingent.....  | 128         |
|  |       | use of appropriations for constructing buildings, etc., restricted.....                      | 128         |
|  |       | additions to shore station facilities to be specifically authorized.....                     | 128         |
|  |       | existing contracts, and work in progress, not interfered with.....                           | 128         |
|  |       | moneys for ordnance, stores, etc., to be used only for purposes for which appropriated.....  | 128         |
|  |       | allocation of armor, etc., to ships according to requirements of service, not prevented..... | 128         |
|  |       | for armor and armament, increase of the Navy.....  | 139         |
|  |       | <i>Bureau of Steam Engineering, Navy (see also Bureau of Engineering),</i>                   |             |
|  |       | deficiency appropriation for engineering..   | 53, 56      |
|  |       | <i>Bureau of Supplies and Accounts, Navy,</i>  |             |
|  |       | appropriation for pay of the Navy.....   | 131         |
|  |       | credit to midshipmen on account of clothing and equipment issues.....                        | 131         |
|  |       | for provisions, commutation of rations, etc.....   | 132         |

| <i>Bureau of Supplies and Accounts, Navy—</i>   | <i>Page—</i> | <i>Bureau of the Budget, Treasury Department—</i>  | <i>Page</i> |
|---|--------------|--|-------------|
| Continued.  |              | Continued.   |             |
| appropriation for maintenance.....  | 132          | estimates of departments, etc., to be revised by heads thereof.....  | 23          |
| equipment supplies.....   | 132          | time for submission to Bureau.....   | 23          |
| credits allowed losses in disposal of excess stocks.....  | 132          | preparation in case of failure.....  | 23          |
| food inspection.....  | 132          | form, etc., to be prescribed.....  | 23          |
| clerical, etc., services.....   | 133          | appropriation for expenses.....  | 23          |
| value of outfits on first enlistment, etc., charged to clothing and small stores fund.....  | 133          | <i>Bureau of Yards and Docks, Navy,</i>  |             |
| for freight.....  | 133          | appropriation for maintenance.....   | 128         |
| for fuel and transportation.....  | 133          | repairs and preservation, yards and stations.....  | 129         |
| for mining, etc., coal in Alaska.....   | 133          | clerical, etc., services.....  | 129         |
| deficiency appropriation for freight. 43, 53, 56, 197   |              | purchase of passenger vehicles herefrom forbidden.....   | 129         |
| for fuel, transportation, etc..... 43, 56, 197  |              | limit on expenditures for motor passenger vehicles; allowance for Marine Corps outside of continental limits.....                        | 129         |
| for refund to James W. Elwell and Company.....  | 44           | motor vehicle operators for other bureaus continued.....   | 129         |
| for International Mercantile Company, reimbursement.....  | 44           | for contingent expenses.....   | 129         |
| for pay of the Navy..... 52, 56, 197  |              | for public works, designated yards and stations.....   | 129         |
| for provisions..... 53, 56, 197   |              | for New York, N. Y.....  | 129         |
| for maintenance..... 56   |              | water front improvements, suspended until July 1, 1922.....  | 129         |
| limitation for chemical, etc., services, 1921, increased.....   | 43           | for Philadelphia, Pa., dry dock.....   | 129         |
| <i>Bureau of the Budget, Treasury Department,</i>   |              | for Norfolk, Va.....   | 129         |
| creation of.....  | 22           | for Charleston, S. C.....  | 129         |
| Director and Assistant Director; appointment and salaries.....  | 22           | for Key West, Fla.....   | 129         |
| duties of Assistant Director.....   | 22           | for Guantanamo, Cuba.....  | 129         |
| preparation of the Budget, etc., for the President by.....  | 22           | for Mare Island, Calif.....  | 129         |
| estimates of departments, etc., to be assembled, revised, etc., for.....  | 22           | for Puget Sound, Wash.....   | 129         |
| employees and expenses of, under control of the Director.....   | 22           | for Pearl Harbor, Hawaii.....  | 130         |
| pay restrictions; application of civil service laws.....  | 22           | for Puget Sound, Wash., ammunition depot.....  | 130         |
| transfers from departments, etc., of, permitted during fiscal years 1921, 1922.   |              | for Mare Island, Calif., ammunition depot.....   | 130         |
| additional pay of \$240 a year allowed, 1921, 1922.....   | 22           | for Pearl Harbor, Hawaii., ammunition depot.....   | 130         |
| study of work of departments, etc., to be made by, to secure greater economy and efficiency in the public service.                                  |              | for fuel depots.....   | 130         |
| to determine changes in existing methods of business, etc.....  | 22           | for Hampton Roads, Va., operating base.  | 130         |
| appropriations therefor.....  | 22           | for San Diego, Calif., Marine Barracks...  | 130         |
| assignment of activities to particular services, or regrouping of services...   | 22           | for San Diego, Calif., naval base.....   | 130         |
| report of, to the President; transmittal to Congress by, with recommendations, etc.....   | 22           | for San Diego, Calif., naval hospital....  | 130         |
| codification of laws relating to statements of receipts and expenditures, and estimates of appropriations to be prepared by, for the President..... | 22           | for Coco Solo, C. Z., submarine base...  | 130         |
| transmittal to Congress with his recommendations as to changes therein...   | 22           | for Pearl Harbor, Hawaii, submarine base.....  | 130         |
| compiling of estimates transferred to, from Bookkeeping and Warrants Division.....  | 22           | for San Diego, Calif., training station...   | 130         |
| information, etc., to be furnished by, to committees of Congress on request...  | 23           | deficiency appropriation for Norfolk, Va., dry dock, claims of George Leary Construction Company, and Giant Portland Cement Company..... | 43          |
| departments, etc., to furnish information to.....   | 23           | for maintenance.....   | 52          |
| examination of records, etc., of, by Bureau officials.....  | 23           | amount for technical services in Department, 1921, increased.....  | 43          |
| budget officer to be designated by heads of departments, etc., to prepare estimates therefor.....   | 23           | amounts for public works under, exclusive of repairs and preservation, available until expended.....                                     | 139         |
| supplemental and deficiency estimates..   | 23           | <i>Burtons Ferry, S. C.,</i>   |             |
|   |              | bridge authorized across Savannah River at.....  | 322         |
|   |              | <i>Business Leagues,</i>   |             |
|   |              | exempt from income tax.....  | 253         |
|   |              | <i>Butler,</i>   |             |
|   |              | temporary duty on, and substitutes.....  | 10          |
|   |              | C.   |             |
|   |              | <i>Cabarets,</i>   |             |
|   |              | internal revenue tax on admissions to....  | 290         |
|   |              | <i>Cable Cars, etc., Postal Service,</i>   |             |
|   |              | deficiency appropriation for mail transportation by.....   | 199         |

|   | Page.  |   | Page.  |
|---|--------|---|--------|
| <i>Cable Service</i> ,<br>revenue tax on messages by, in United States.....   | 284    | <i>Canoes, Pleasure</i> ,<br>excise tax on sales of, by builder, etc.....   | 292    |
| <i>Cables, Submarine</i> (see also <i>Submarine Cables</i> ),<br>provisions relating to landing and operation of, in the United States.....             | 8      | <i>Canton, S. Dak.</i> ,<br>deficiency appropriation for asylum for insane Indians at.....  | 58     |
| <i>Calaveras River, Calif.</i> ,<br>survey of, for control of floods.....   | 171    | <i>Capital Stock, Certificates of</i> ,<br>stamp tax on, original issues.....   | 304    |
| <i>California</i> ,<br>appropriation for naval training station....   | 125    | transfers, assignments, etc.....  | 304    |
| consent given to negotiations for apportioning waters of Colorado River, etc., between, and designated States.  | 172    | <i>Capitol</i> ,<br>deficiency appropriation for repairs, etc....   | 44, 56 |
| agreement subject to approval of legislature and Congress.....  | 172    | for care, etc., of grounds.....   | 44     |
| <i>Cambridge, Mass.</i> ,<br>drawless bridges authorized across Charles River to Boston from.....   | 219    | <i>Capitol Police</i> ,<br>salaries for August to be paid August 24, 1921.....  | 180    |
| <i>Camel's Hair</i> (see <i>Wool</i> ).   |        | for November 1921, to be paid November 23.....  | 325    |
| <i>Cameras</i> ,<br>excise tax on, and lenses for, sold by producer, etc.....   | 292    | <i>Capitol Power Plant</i> ,<br>deficiency appropriation for maintenance.   | 49, 53 |
| <i>Camp Alfred Vail, N. J.</i> ,<br>appropriation for office of Chief Signal Officer.....   | 72     | <i>Carbonated Beverages</i> ,<br>internal revenue tax on, sold by producer, etc.....  | 285    |
| <i>Camp and Garrison Equipage, Army</i> ,<br>appropriation for.....   | 81     | <i>Carbonic Acid Gas</i> ,<br>internal revenue tax on, sold by producer, etc., to manufacturer of carbonated beverages.....                                   | 286    |
| deficiency appropriation for.....   | 196    | to soda fountain, etc., proprietors.....  | 286    |
| <i>Camp Benning, Ga.</i> ,<br>appropriation for Infantry school at.....   | 69     | to soft drink producers, etc.....   | 286    |
| unexpended balance, Quartermaster Corps, 1919, available during 1922, for acquiring land for Infantry School at..                                       | 62     | <i>Carnegie Corporation</i> ,<br>acceptation of gift from, for erecting branch library building in southeastern section of Washington, D. C., authorized..... | 60     |
| <i>Camp Bragg, N. C.</i> ,<br>appropriation for Field Artillery school at for Field Artillery instruction.....  | 70     | <i>Carpets, Rugs, etc.</i> ,<br>excise tax on, sold above specified price by manufacturer, etc.....   | 293    |
| <i>Camp Eustis, Va.</i> ,<br>direction for sale of, repealed.....   | 202    | <i>Carroll, Jennie (widow)</i> ,<br>appropriation for monthly payments to...  | 76     |
| <i>Camp Knox, Ky.</i> ,<br>appropriation for Field Artillery school at for Field Artillery instruction.....   | 70     | <i>Carson City, Nev.</i> ,<br>deficiency appropriation for Indian school at.....  | 45     |
| <i>Camps of Instruction, National Guard</i> ,<br>appropriation for expenses.....  | 92     | <i>Caryville, Fla.</i> ,<br>time extended for bridging Choctawhatchee River, near.....  | 220    |
| <i>Canada</i> ,<br>commission authorized to negotiate with Dominion of, as to cancellation of export restrictions of pulp wood and paper therefrom..... | 169    | <i>Cass County, Tex.</i> ,<br>and Bowie County may bridge Sulphur River.....  | 204    |
| steamer passenger tickets to, exempt from stamp tax.....  | 305    | <i>Cates, Mrs. T. E. S.</i> ,<br>deficiency appropriation for.....  | 43     |
| <i>Canal Zone, Panama</i> ,<br>appropriation for Army hospital care of garrisons.....   | 87     | <i>Cattle</i> (see also <i>Packers and Stockyards Act</i> ),<br>on free list, imported for breeding purposes.....   | 10     |
| <i>Canceling Machines, etc., Postal Service</i> ,<br>deficiency appropriation for rental, purchase, etc.....  | 42, 55 | temporary duty on.....  | 10     |
| <i>Canceling Stamps, Postal Service, Special</i> ,<br>authorized for "Birmingham Semicentennial, etc.," for Birmingham, Ala., post office.....          | 186    | <i>Cavalry School, Fort Riley, Kans., Army</i> ,<br>appropriation for instruction expenses....  | 69     |
| "International Aero Congress, etc.," for Omaha, Nebr., post office.....   | 207    | <i>Cement</i> ,<br>deficiency appropriation for investigating structural materials of, 1922.....  | 48     |
| "Pageant of Progress Exposition, etc.," at Chicago, Ill., post office.....  | 3      | <i>Cemetery Companies, etc., Mutual</i> ,<br>exempt from income tax.....  | 253    |
| "Public Health Exposition, etc.," for Cincinnati, Ohio, post office.....  | 203    | <i>Censorship of Foreign Mails</i> ,<br>deficiency appropriation for.....   | 55     |
| "Visit the Dunes, etc.," for Michigan City, Ind., post office.....  | 202    | <i>Census Office, Department of Commerce</i> ,<br>deficiency appropriation for expenses, Thirteenth Census.....   | 54     |
| <i>Candy</i> ,<br>excise tax on, sold by producer, etc.....   | 292    | transfer from appropriation for, 1922, to Bureau of Standards, for specified investigations, etc.....   | 47     |
| <i>Canneries</i> ,<br>excise tax on products of, using prohibited child labor.....  | 306    | <i>Census, Thirteenth</i> ,<br>deficiency appropriation for expenses of..   | 54     |
| bona fide boys' or girls' canning clubs exempt.....   | 306    | <i>Central Pacific Railway Company</i> ,<br>deficiency appropriation for paying costs in suit of.....   | 193    |

# INDEX.

XV

|   | Page.       |   | Page.   |
|---|-------------|---|---------|
| <i>Cereal Beverages</i> ,<br>internal revenue tax on, containing less<br>than half of 1 per cent of alcohol,<br>sold by producer, etc.....  | 285         | <i>Chicago, Ill.</i> ,<br>emergency appropriation for passport<br>bureau at, 1922.....  | 61      |
| <i>Certificates of Indebtedness, United States</i> ,<br>accepted for internal revenue taxes, except<br>stamp.....   | 316         | for Broadview Hospital recreation build-<br>ing, etc., 1922.....  | 62      |
| <i>Certificates of Stock and of Indebtedness</i> ,<br>designated, subject to stamp tax.....   | 301         | special canceling stamps "Pageant of<br>Progress Exposition, Chicago, etc.,"<br>allowed for post office at.....   | 3       |
| <i>Chalmette, La., Plains of</i> ,<br>investigation, etc., directed, of feasibility<br>of establishing a military park on,<br>the site of the Battle of New Orleans<br>in 1815..... | 221         | <i>Chickamauga and Chattanooga National Mili-<br/>tary Park</i> ,<br>deficiency appropriation for boulevard on<br>Missionary Ridge.....   | 39      |
| <i>Chambers of Commerce</i> ,<br>exempt from income tax.....  | 253         | <i>Chief of Coast Artillery, Army (see Coast Ar-<br/>tillery, Army, Chief of)</i> .   |         |
| <i>Charitable, etc., Organizations</i> ,<br>vessels of, used without profit, exempt<br>from special excise tax.....   | 298         | <i>Chief of Staff, Army (see also General Staff<br/>Corps)</i> ,<br>appropriation for contingencies, office of..  | 68      |
| <i>Charles River</i> ,<br>construction of drawless bridges authorized<br>across, between Cambridge and Bos-<br>ton, Mass.....   | 219         | for General Staff College.....  | 69      |
| height, piers, etc., subject to approval of<br>Secretary of War.....  | 219         | for clerks, etc., office of.....  | 75      |
| compensation to owners, etc., of abutting<br>property for damages to be provided<br>for.....  | 219         | <i>Child Labor Law</i> ,<br>deficiency appropriation for expenses en-<br>forcing.....   | 54, 199 |
| committee to assess, to be appointed..  | 219         | <i>Child Labor, Tax on Employment of, Title<br/>XII, Revenue Act of 1918</i> ,<br>repealed.....   | 321     |
| <i>Charleston Farms Corporation</i> ,<br>deficiency appropriation for paying judg-<br>ment of South Carolina eastern dis-<br>trict court to.....                                    | 51          | <i>Child Labor, Tax on Employment of, Title<br/>XII, Revenue Act of 1921</i> ,<br>excise tax on net profits of mines, factories,<br>etc., using children of prohibited<br>ages..... | 306     |
| <i>Charleston Insurance and Trust Company</i> ,<br>deficiency appropriation for paying judg-<br>ment of South Carolina eastern court<br>to.....                                     | 51          | computation of net profits; deductions al-<br>lowed from gross profits.....   | 307     |
| <i>Charleston, S. C.</i> ,<br>appropriation for navy yard, dredging....   | 129         | when sold for personal benefit below<br>market price.....   | 307     |
| <i>Chattanooga, Tenn.</i> ,<br>Army tents, etc., loaned for United Con-<br>federate Veterans' encampment at..   | 203         | tax not applicable to employer having cer-<br>tificate of age competency.....   | 307     |
| <i>Chautauquas</i> ,<br>exempt from special excise tax.....   | 296         | punishment for false statements, etc., as<br>to certificates.....   | 307     |
| <i>Checks, Uncertified</i> ,<br>accepted in payment of internal revenue<br>taxes, except stamp; conditions....  | 316         | State, etc., age certificates admissible...   | 307     |
| <i>Cheese</i> ,<br>temporary duty on, and substitutes.....  | 10          | unintentional mistakes not subject to tax..   | 307     |
| <i>Chemical Warfare Service, Army</i> ,<br>appropriation for gases, gas masks, etc....  | 91          | yearly returns to be made by employers;<br>details required.....  | 308     |
| for investigations, etc.....  | 91          | transmittal, payment of tax, etc.....   | 308     |
| for organizing, etc., gas troops.....   | 92          | inspection of premises, etc., by revenue<br>officers.....   | 308     |
| <i>Chemicals, Synthetic Organic</i> ,<br>entry, etc., of, forbidden for three months.<br>limited admission allowed, if no satis-<br>factory substitute obtainable, etc....          | 18          | punishment for obstructing, etc.....  | 308     |
| extended until otherwise provided by<br>law.....  | 220         | taxable year defined.....   | 308     |
| <i>Chemistry Bureau, Department of Agriculture</i> ,<br>deficiency appropriation for general ex-<br>penses.....   | 54, 58, 198 | <i>Children, Societies for Prevention of Cruelty to</i> ,<br>exempt from income tax.....  | 253     |
| for enforcing Pure Food Law.....  | 54          | <i>Children's Bureau, Department of Labor</i> ,<br>deficiency appropriation for investigating<br>child welfare.....   | 54      |
| <i>Cherokee, N. C.</i> ,<br>deficiency appropriation for Indian school<br>at.....   | 45, 57      | for child labor law.....  | 54, 199 |
| <i>Cherokee Orphan Training School, Tahlequah,<br/>Okla.</i> ,<br>deficiency appropriation for support, etc..   | 45, 57      | for general expenses.....   | 58      |
| <i>Cherries</i> ,<br>temporary duty on, raw, preserved, etc....   | 11          | for investigating child welfare.....  | 199     |
|   |             | <i>Chief of, to serve on Board of Maternity and<br/>Infant Hygiene</i> .....  | 224     |
|   |             | execution of Maternity and Infancy Hy-<br>giene Act by.....   | 224     |
|   |             | studies, investigations, etc., to promote<br>administration thereof.....  | 224     |
|   |             | <i>Children's Guardians, D. C., Board of</i> ,<br>deficiency appropriation for feeble-minded<br>children.....   | 32      |
|   |             | for board and care of children.....   | 32      |
|   |             | <i>Chillico, Okla.</i> ,<br>deficiency appropriation for Indian school..  | 57      |
|   |             | <i>China</i> ,<br>appropriation for rentals for troops in ....  | 84      |
|   |             | collection, etc., of estate tax, of citizens<br>dying in.....   | 283     |



|   | Page. | <i>Cigars, Tobacco, and Manufactures of, Tax on, Title VII, Revenue Act of 1921—Continued.</i>   | Page. |
|---|-------|--|-------|
| <i>China, United States Court for,</i><br>deficiency appropriation for salaries and expenses.....   | 53    | packages required for manufactured tobacco and snuff.....  | 287   |
| tax on estates of residents dying in China to be collected by clerk of.....   | 283   | bladders and jars allowed for snuff.....   | 287   |
| <i>Chinese Plague,</i><br>deficiency appropriation for prevention of epidemic.....  | 38    | wooden, for chewing tobacco.....   | 287   |
| <i>Chinese Refugees from Mexico,</i><br>registration authorized of attached to punitive military expedition in 1916.....                              | 325   | marking, etc., required.....   | 287   |
| right of domicil accorded on.....   | 326   | limitations not applicable to exports.....   | 288   |
| examination required, except reading test.....  | 326   | bulk sales of perique, clippings, etc., to other manufacturers or for export, free of tax.....   | 288   |
| deportation subsequently, if becoming members of excluded classes.....  | 326   | combinations permitted, of wood, etc..   | 288   |
| collecting fees for services in, unlawful ..  | 326   | tax on cigarette paper and tubes to other than manufactures.....   | 288   |
| punishment for.....   | 326   | bond required from manufacturers.....  | 288   |
| <i>Chippewa Indians in Minnesota,</i><br>per capita distribution from principal fund of, to enrolled members.....                                     | 221   | leaf tobacco provisions.....   | 288   |
| free from all liens, etc.....   | 222   | dealers to file with collector statement of business; details.....   | 288   |
| subject to ratification of Indians.....   | 222   | bond required; number to be assigned....   | 288   |
| <i>Chippewa Indians, N. Dak., Turtle Mountain Band.</i><br>deficiency appropriation for support.....  | 45    | certificate to be issued; posting.....   | 288   |
| <i>Chippewa Indians of Lake Superior, Wis.,</i><br>deficiency appropriated for support, etc ...   | 198   | inventory of stock to be filed annually, etc.....  | 288   |
| <i>Choctawhatchee River,</i><br>time extended for bridging, Caryville, Fla.   | 220   | invoices and records to be kept.....   | 289   |
| <i>Cholera,</i><br>deficiency appropriation for prevention of epidemic.....   | 38    | monthly report of transactions.....  | 289   |
| <i>Chumm, Mrs. Ella M.,</i><br>deficiency appropriation for refunding ...   | 33    | sales restricted; shipments only to other dealers, registered manufacturers of tobacco, etc.....   | 289   |
| <i>Cigar and Cigarette Holders,</i><br>excise tax on, sold by producer, etc.....  | 292   | penalty tax for violations of requirements.....  | 96    |
| <i>Cigar Manufacturers,</i><br>special tax imposed on sales by, rates.....  | 297   | punishment for refusing statements, render invoices, etc.....  | 289   |
| sales for export exempt.....  | 297   | unauthorized shipments.....  | 289   |
| <i>Cigarette Manufacturers,</i><br>special tax imposed on sales by, rates.....  | 297   | fraudulent accounts.....   | 289   |
| sales for export exempt.....  | 297   | farmers or growers not regarded dealers in own product.....  | 289   |
| <i>Cigarette Papers and Tubes,</i><br>internal revenue tax levied on, sold by manufacturer or exporter to other than cigarette manufacturer.....      | 288   | <i>Cincinnati, Ohio,</i><br>special canceling stamp of "Public Health Exposition, etc.," authorized for post office at.....  | 203   |
| bond of manufacturer purchasing tubes for making cigarettes.....  | 288   | <i>Circuit Courts of Appeals,</i><br>appeals from orders of Secretary of Agriculture for violations of provisions of Packers, and Stockyards Act by packers, to be brought in..... | 162   |
| <i>Cigarettes,</i><br>delivery, free of tax, to Army and Navy hospitals, etc., of unsold forfeited, etc.....  | 205   | exclusive jurisdiction conferred.....  | 162   |
| tax on, by manufacturer or importer.....  | 287   | certiorari from Supreme Court allowed..  | 162   |
| <i>Cigars,</i><br>delivery, free of tax to, army and Navy hospitals, etc., of unsold forfeited, etc.....  | 205   | jurisdiction of, on petition to revoke orders suspending grain boards of trade.....  | 189   |
| <i>Cigars, Tobacco, and Manufactures of, Tax on, Title VII, Revenue Act of 1921,</i><br>tax payable by manufacturer or importer, on small cigars..... | 286   | procedure; expediting directed.....  | 189   |
| cigars, based on retail price.....  | 286   | limitation on setting aside order.....   | 189   |
| cigarettes; large.....  | 287   | on petition to set aside order barring person from privileges of grain boards of trade.....  | 190   |
| retail price defined.....   | 287   | procedure, etc.....  | 190   |
| label requirements for cigar boxes, etc.....  | 287   | decision final; review by Supreme Court upon certiorari.....   | 190   |
| packages required for domestic cigarettes and small cigars.....   | 287   | <i>Circuses,</i><br>special tax on proprietors of.....   | 296   |
| stamps to be affixed and canceled.....  | 287   | required for each State.....   | 296   |
| for imported cigarettes in addition to import stamps.....   | 287   | <i>City Delivery, Postal Service,</i><br>deficiency appropriation for vehicle allowance.....   | 42    |
| tax payable by manufacturer or importer on tobacco and snuff.....   | 287   | for equipment.....   | 55    |
|   |       | for temporary carriers.....  | 55    |
|   |       | for car fare and bicycles.....   | 55    |
|   |       | for carriers.....  | 199   |
|   |       | <i>Civic Leagues, etc.,</i><br>exempt from income tax.....   | 253   |
|   |       | <i>Civil Service Commission,</i><br>deficiency appropriation for traveling expenses.....   | 29    |
|   |       | emergency appropriation for expenses, 1922.....  | 59    |

|   | Page.       |  | Page.       |
|---|-------------|--|-------------|
| <i>Civil Service Retirement Act,</i>  |             | <i>Coal Tar Products,</i>  |             |
| deficiency appropriation for expenses of Pension Office in executing.....                   | 56          | entry, etc., of, forbidden for three months.....   | 18          |
| <i>Civilian Military Instruction,</i>   |             | limited admission allowed, if no satisfactory substitute obtainable, etc....                                     | 18          |
| appropriation for expenses of rifle ranges for; materials, quartermaster supplies, etc..... | 85          | entry restrictions extended to six months.....   | 191         |
| for subsistence, travel, etc., to rifle teams.....  | 86          | until otherwise provided by law.....   | 220         |
| for arms, ammunition, targets, etc.....   | 93          | <i>Coast and Geodetic Survey,</i>  |             |
| for furnishing uniforms, subsistence, transportation, etc.....                              | 93          | deficiency appropriation for party expenses.....   | 54, 58      |
| deficiency appropriation for.....   | 52          | for general expenses.....  | 199         |
| <i>Claims,</i>  |             | to assist in preparing maps for Army use; payment.....   | 89          |
| deficiency appropriation for paying, certified by accounting officers.....                  | 51, 55, 195 | <i>Coast Artillery, Army, Chief of,</i>  |             |
| for paying judgments, Court of Claims..   | 51, 195     | appropriation for Coast Artillery School...  | 70          |
| <i>Clarksville, Tenn.,</i>  |             | <i>Coast Artillery School, Fort Monroe, Va.,</i>   |             |
| time extended for bridging Cumberland River, near.....                                      | 205         | appropriation for incidental expenses.....   | 70          |
| <i>Clays,</i>   |             | for material, apparatus, etc.....  | 70          |
| deficiency appropriation for investigating structural materials of, 1922.....               | 48          | <i>Coast Guard, Treasury Department,,</i>  |             |
| <i>Clerical Assistance to Senators,</i>   |             | deficiency appropriation for file holders, etc for expenses.....   | 39          |
| amounts appropriated for, fiscal years 1921 and 1922, reduced.....                          | 1           | for expenses.....  | 51, 56, 196 |
| <i>Clerks at Consulates,</i>  |             | amount allotted to contingent expenses, from appropriation for rations, 1921..                                   | 39          |
| deficiency appropriation for.....   | 53, 58, 198 | <i>Coasters Harbor Island, R. I.,</i>  |             |
| <i>Clerks at Embassies and Legations,</i>   |             | appropriation for naval training station..   | 125         |
| deficiency appropriation for.....   | 53          | for Naval War College, maintenance....   | 127         |
| <i>Clerks, Messengers, etc., Army Headquarters, etc.,</i>                                   |             | <i>Coca Leaves, etc., (see also Narcotics),</i>  |             |
| appropriation for pay.....  | 75          | deficiency appropriation for expenses restricting sale, etc., of.....  | 37          |
| for foreign service pay.....  | 75          | restrictions on trading, etc., in.....   | 298         |
| for allowances, etc., to Army field clerks; restriction on assignment, etc.....             | 75          | stamp tax on, compounds, etc.....  | 299         |
| <i>Clerks, United States Courts,</i>  |             | preparations, etc., of, not affected.....  | 300         |
| deficiency appropriation for salaries and expenses.....                                     | 41, 194     | list applicable to decocainized, etc.....  | 301         |
| allowed pay as commissioners, if appointed as such; limit.....                              | 41          | <i>Coco Solo, Canal Zone,</i>  |             |
| appointment vacated if pay received from private litigants.....                             | 41          | appropriation for naval submarine base...  | 130         |
| for fees.....   | 54          | <i>Coco Solo Naval Air Station, Canal Zone,</i>  |             |
| <i>Clocks,</i>  |             | appropriation for buildings, etc.....  | 123         |
| excise tax on sales of, by dealers.....   | 293         | <i>Coconut Oil,</i>  |             |
| <i>Clothing and Small Stores Fund, Navy,</i>  |             | temporary duty on.....   | 10          |
| to be charged with value of issues of outfits on first enlistment.....                      | 133         | <i>Colleges, etc.,</i>   |             |
| civilian clothing to men discharged for bad conduct, etc.....                               | 133         | appropriation for Army supplies, etc., to military, other than with units of Reserve Officers' Training Corps... | 86          |
| uniform gratuity to officers of Naval Reserve Force.....                                    | 133         | ordnance equipment excluded.....   | 86          |
| <i>Clothing, Army,</i>  |             | <i>Colorado,</i>   |             |
| appropriation for, cloth, manufacture, etc.   | 81          | Army supplies, etc., to be furnished to relieve sufferers from flood of Arkansas River, etc., in.....            | 19          |
| for indemnity for destroyed, etc.....   | 82          | consent given to negotiations for apportioning waters of Colorado River, etc., between, and designated States    | 172         |
| deficiency appropriation for.....   | 196         | agreement subject to approval of legislature and Congress.....   | 172         |
| <i>Clothing, Marine Corps,</i>  |             | <i>Colorado Labor Strike, 1914,</i>  |             |
| appropriation for.....  | 137         | deficiency appropriation for paying claims for loss of firearms, etc.....  | 52          |
| <i>Clothing Wool,</i>   |             | <i>Colorado River,</i>   |             |
| temporary duty on, unwashed, washed, etc.   | 10          | agreement by designated States for apportionment of waters of, and tributaries, consented to.....                | 172         |
| <i>Clubs, Pleasure, etc.,</i>   |             | Federal representative to participate in proceedings.....  | 172         |
| exempt from income tax.....   | 253         | amount for expenses authorized.....  | 172         |
| <i>Clubs, Social, etc.,</i>   |             | subject to approval of State legislatures and Congress.....  | 172         |
| internal revenue tax on dues or membership fees of; limit.....                              | 291         | name of Grand River, Colo. and Utah, changed to.....   | 146         |
| <i>Coal Depots, Navy (see also Fuel Depots, Naval),</i>                                     |             | <i>Columbia Hospital for Women, etc., D. C.,</i>   |             |
| appropriation for.....  | 130         | deficiency appropriation for heat, light, and power.....   | 32          |
| <i>Coal, etc., Navy,</i>  |             | <i>Columbia, S. C.,</i>  |             |
| appropriation for, fuel handling, maintenance of depots, etc.....                           | 133         | deficiency appropriation for public building.....  | 38          |
| for mining, etc., in Alaska.....  | 133         | <i>Colville Agency, Wash.,</i>   |             |
|   |             | deficiency appropriation for support, etc., Indians at.....  | 197         |

|   | Page.           |  | Page.       |
|---|-----------------|--|-------------|
| <i>Commerce, Foreign (see Antidumping Act, 1921).</i>   |                 | <i>Comptroller of the Currency, Treasury Department—Continued.</i>   |             |
| <i>Commerce, Foreign and Domestic,</i>  |                 | to furnish War Finance Corporation confidential information of national banks making advances for agricultural products..... | 183         |
| <i>Commercial Attachés,</i>   |                 | of other banks, etc., subject to their consent.....  | 183         |
| deficiency appropriation for.....   | 199             | <i>Comptroller of the Treasury (see also General Accounting Office),</i>   |             |
| clerks to each, may be paid from appropriation therefor, in 1922.....   | 64              | office of, abolished July 1, 1921.....   | 23          |
| detail of not more than two, for duty in Department, authorized.....  | 64              | employees, books, office equipment, etc., of, transferred to General Accounting Office.....                                  | 23          |
| <i>Commission of Fine Arts,</i>   |                 | <i>Concert Halls,</i>  |             |
| approval of, required of site and design of memorial to employees of Agricultural Department who died in World War, to be erected in grounds of department..... | 170             | special tax on proprietors of.....   | 295         |
| <i>Commissioner of Accounts and Deposits, Treasury Department,</i>  |                 | places, etc., exempt.....  | 295         |
| deficiency appropriation for, 1922.....   | 36              | <i>Conciliation of Labor Disputes,</i>   |             |
| <i>Commissioner of Public Debt, Treasury Department,</i>  |                 | deficiency appropriation for commissioners of.....   | 48, 54, 199 |
| deficiency appropriation for 1922.....  | 36              | <i>Condensed Milk,</i>   |             |
| expenses of war savings and thrift stamps in office of, payable from appropriation for expenses of loans, 1922.....   | 36              | temporary duty on.....   | 10          |
| <i>Commissioners of Conciliation,</i>   |                 | <i>Confederate Veterans, United,</i>   |             |
| deficiency appropriation for salaries and expenses.....   | 48, 54, 199     | Army tents, etc., loaned for encampment of, at Chattanooga, Tenn.....  | 203         |
| <i>Commissioners, United States Courts,</i>   |                 | <i>Conference on Limitation of Armament,</i>   |             |
| deficiency appropriation for fees....   | 41, 55, 59, 199 | deficiency appropriation for expenses of...  | 192         |
| <i>Committee on Appropriations, House of Representatives,</i>   |                 | <i>Congress,</i>   |             |
| deficiency appropriation for assistant clerks, 1922.....  | 49              | estimates of, for appropriations to be submitted by the President without revision.....                                      | 20          |
| <i>Committee on Finance, Senate,</i>  |                 | <i>Congressional Employees,</i>  |             |
| emergency appropriation for assistant clerk to, 1922.....   | 64              | appropriation for session employees from close of first to beginning of second session.....                                  | 325         |
| <i>Committee on Public Information,</i>   |                 | salaries for August to be paid August 24, 1921.....  | 180         |
| deficiency appropriation for salaries and expenses.....   | 198             | for November, 1921, to be paid November 23.....  | 325         |
| for national security and defense.....  | 198             | <i>Construction and Repair of Vessels, Navy,</i>   |             |
| <i>Community Chests,</i>  |                 | appropriation for.....   | 133         |
| exempt from income tax.....   | 253             | <i>Consular Assistants,</i>  |             |
| <i>Commutation of Quarters, etc., Army,</i>   |                 | deficiency appropriation for salaries.....   | 53, 58      |
| appropriation for field clerks, etc.....  | 75              | <i>Consular Officers,</i>  |             |
| for officers, etc.....  | 75              | deficiency appropriation for post allowances.....  | 53          |
| <i>Commutation of Quarters, Navy,</i>   |                 | for transportation to and from posts.....  | 53, 58      |
| appropriation for officers, etc.....  | 131             | <i>Consular Service,</i>   |             |
| <i>Communitation of Rations, Marine Corps,</i>  |                 | deficiency appropriation for salaries.....   | 53, 58      |
| appropriation for.....  | 137             | <i>Consulates,</i>   |             |
| <i>Communitation of Rations, Navy,</i>  |                 | deficiency appropriation for interpreters..  | 53          |
| appropriation for.....  | 132             | for clerk hire.....  | 53, 58, 198 |
| rates of, established for fiscal year 1922....  | 139             | for contingent expenses.....   | 54, 58, 198 |
| <i>Comptroller General of the United States (see also General Accounting Office),</i>   |                 | <i>Contagious Diseases, Animal,</i>  |             |
| General Accounting Office established under control of.....   | 23              | deficiency appropriation for suppressing, Indian cattle, etc.....  | 45          |
| appointment and salary.....   | 23              | <i>Contagious Diseases, D. C.,</i>   |             |
| to hold office for fifteen years; ineligible for reappointment.....   | 23              | deficiency appropriation for preventing spread of.....   | 31          |
| removal solely for cause, and only by joint resolution of Congress or impeachment.....  | 24              | <i>Contested Election Expenses, House of Representatives,</i>  |             |
| ineligible for reappointment thereafter..   | 24              | deficiency appropriation for Harry B. Hawes.....   | 196         |
| to be retired at age of 70 years.....   | 24              | <i>Contingent Expenses,</i>  |             |
| <i>Comptroller of the Currency, Treasury Department,</i>  |                 | appropriation for Army.....  | 68          |
| deficiency appropriation for additional counters, Federal reserve and national currency.....  | 36              | for Military Academy.....  | 101         |
| emergency appropriation for additional clerks, etc., in office of, 1922.....  | 61              | for Navy.....  | 123         |
| may designate bank examiner as chief of examining division.....   | 61              | for Marine Corps.....  | 138         |
|   |                 | <i>Contract Markets, Grain (see also Future Trading Act),</i>  |             |
|   |                 | designation of boards of trade as, authorized.....   | 188         |
|   |                 | conditions and requirements specified..  | 188         |

# INDEX.

xix

|   |       |
|---|-------|
| <i>Contract Surgeons, Army,</i>   | Page. |
| appropriation for pay.....  | 75    |
| for mileage.....  | 75    |
| deficiency appropriation for mileage.....   | 196   |
| <i>Contracts, Army,</i>   |       |
| for fuel, may be made for sufficient quantities for one year without regard to current fiscal year..... | 78    |
| payment from funds of year when delivery made.....  | 78    |
| <i>Contracts, etc., Army War,</i>   |       |
| unexpended balances for settling, suspended on account of armistice, available during 1922.....         | 63    |
| allowance for personal services.....  | 63    |
| limited to contracts, etc., made between April 6, 1917, and November 12, 1918.....                      | 63    |
| <i>Converse County, Wyo.,</i>   |       |
| grant of public lands to, for public park uses.....   | 65    |
| report of compliance to terms required, etc.....  | 66    |
| recovery on failure.....  | 66    |
| <i>Conveyances, Realty,</i>   |       |
| stamp tax on.....   | 305   |
| trust deeds exempt.....   | 305   |
| <i>Convicts, D. C.,</i>   |       |
| deficiency appropriation for support of, out of the District.....                                       | 32    |
| <i>Cooper River Corporation,</i>  |       |
| deficiency appropriation for paying judgment of South Carolina eastern district court to.....           | 51    |
| <i>Coos Bay Wagon Road Lands, Oreg.,</i>  |       |
| deficiency appropriation for protection, etc.....   | 44    |
| <i>Copyright Office, Library of Congress,</i>   |       |
| deficiency appropriation for printing and binding for.....  | 50    |
| <i>Corn (see also Futures Trading Act),</i>   |       |
| provisions governing contracts for future delivery of.....  | 187   |
| temporary duty on.....  | 9     |
| <i>Coroner's Office, D. C.,</i>   |       |
| deficiency appropriation for expenses....   | 33    |
| <i>Corporations,</i>  |       |
| tax levied on net income of, for calendar year 1921.....  | 252   |
| for each year thereafter.....   | 252   |
| organizations exempt.....   | 253   |
| net income defined, of domestic; foreign..  | 254   |
| gross income defined, of domestic; foreign..  | 254   |
| deductions allowed in computing net incomes; business expenses.....                                     | 254   |
| interest on debts; exception.....   | 254   |
| taxes; classes and exceptions specified..   | 254   |
| not applicable to corporations guaranteeing payments at source.....                                     | 254   |
| paid on interest of stockholders.....   | 254   |
| date of accrual.....  | 255   |
| business losses.....  | 255   |
| restriction of, on sales of stock, etc....  | 255   |
| from destruction, etc., of property acquired before March 1, 1913.....                                  | 255   |
| worthless debts; if in part.....  | 255   |
| tax-paid dividends; of foreign corporations from United States sources....                              | 255   |
| exhaustion, obsolescence, etc., of property; if acquired before March 1, 1913.....                      | 255   |

|   |       |
|---|-------|
| <i>Corporations—Continued.</i>  | Page. |
| deductions allowed; amortization of cost of buildings, plants, vessels, etc., for prosecution of the war..... | 255   |
| redetermination of tax before March 3, 1924, at request of taxpayer; credits for overpayments.....            | 255   |
| allowance for depletion, etc., of mines, oil wells, timber, etc.; basis of.....                               | 256   |
| if acquired before March 1, 1913.....   | 256   |
| if discovered by taxpayer before March 1, 1913; limitation.....   | 256   |
| regulations, etc., to be prescribed; application to leases.....   | 256   |
| additional to insurance companies other than life; limitation after December 31, 1921.....                    | 256   |
| issuing policies on weekly premium plan for life, etc.; not effective after December 31, 1921.....            | 256   |
| mutual marine companies.....  | 256   |
| other mutual companies, of premium deposits, returned, etc.....   | 256   |
| proceeds from involuntary conversion of property expended for similar property, etc.....                      | 257   |
| foreign corporations, of designated items within the United States.....                                       | 257   |
| items not deductible, the same as for individuals.....  | 257   |
| credit allowed; interest on Federal securities, etc.....  | 257   |
| domestic, specific of \$2,000, if net income less than \$25,000.....  | 257   |
| limitation if exceeding \$25,000.....   | 257   |
| war and excess profits for fiscal year ending in 1921.....  | 257   |
| ending in 1922.....   | 257   |
| tax paid at source on income of foreign, not in business in United States....                                 | 258   |
| deduction of interest free from tax....   | 258   |
| credit to domestic, for income, etc., taxes paid abroad; limitation.....                                      | 258   |
| application to domestic insurance companies.....  | 258   |
| redetermination if tax paid differs from credit claimed; refund.....  | 258   |
| if accrued, but not paid; bond required.....  | 258   |
| evidence of foreign income, etc., required.....   | 258   |
| proportion allowed for fiscal year ending in 1921.....  | 258   |
| domestic, controlling foreign, deemed to have paid proportion of their foreign dividend taxes, etc.....       | 259   |
| credit for, limited.....  | 259   |
| determination, by commissioner of foreign accumulated profits.....  | 259   |
| foreign accounting period.....  | 259   |
| in business in United States possessions, deemed foreign.....   | 259   |
| returns required; details.....  | 259   |
| from agents of foreign, without American office.....  | 259   |
| from receivers, trustees, etc., of; collection of tax.....  | 259   |
| accounting; for part of a year.....   | 259   |
| statement of dividends, etc., to be appended to.....  | 260   |

| <i>Corporations—Continued.</i>   |            | <i>Court of Claims—Continued.</i>  |            |
|--|------------|--|------------|
| returns required; consolidated, may be made by affiliated corporations after January 1, 1922; basis of.....            | 260        | interest permitted in refunds of erroneous collection of taxes, etc., under Revenue Act of 1921.....         | 316        |
| computation of proportionate assessments upon.....   | 260        | <i>Courts Martial, etc., Army,</i>   |            |
| meaning of affiliated corporations.....  | 260        | appropriation for expenses of.....   | 75         |
| corporations in United States possessions deemed foreign.....  | 260        | <i>Cream,</i>  |            |
| if business controlled by same interests.....  | 260        | temporary duty on.....   | 10         |
| method of making.....  | 260        | <i>Crematory, D. C.,</i>   |            |
| time of filing; with collector of the district, etc.....   | 260        | deficiency appropriation for maintenance.....  | 33         |
| with collector at Baltimore, Md., if no agency, etc., in United States.....  | 260        | <i>Crimes and Misdemeanors,</i>  |            |
| verified returns of dividend payments by, required; details.....   | 269        | penalty for carrying on business at stockyards without registering, etc.....                                 | 164        |
| war and excess profits tax on incomes of... exempt if engaged in gold mining.....                                      | 272<br>273 | failing to comply with stockyard regulations, etc.....   | 165        |
| <i>Corporations, Domestic,</i>   |            | failure of stockyard owner, etc., to obey orders as to charges.....  | 167        |
| special excise tax on capital, etc., of, in excess of \$5,000.....   | 294        | searching private dwellings, etc., by prohibition enforcement official without a search warrant.....         | 224        |
| exemptions.....  | 295        | failing to pay income tax, make returns, etc.....  | 268        |
| <i>Corporations for Foreign Financial Business (see also Federal Reserve Act Amendments),</i>                          |            | issuing, etc., unstamped documents, etc. dealing in articles not fully stamped....                           | 302<br>302 |
| provisions modifying paying installments on capital stock subscriptions, etc.....                                      | 28         | using uncanceled stamps.....   | 302        |
| <i>Corporations, Foreign,</i>  |            | failing to pay, make returns, etc., of other than income, excess profits and estate taxes.....               | 309        |
| special excise tax on capital of, for business in United States.....   | 295        | punishment for illegal landing of submarine cables, etc.....   | 8          |
| <i>Corpus Christi, Tex.,</i>   |            | fraudulently disposal, etc., of conditionally acquired personal property.....                                | 9          |
| claims against Texas National Guard for Army property lost, etc., during floods at, etc., cancelled.....               | 94         | presenting false statements, affidavits, etc., in war risk compensation claims.....                          | 152        |
| <i>Cots, etc., Army,</i>   |            | failure by packer to obey orders issued for violations of Packers and Stockyards Act.....                    | 163        |
| loan authorized, for Grand Army of the Republic encampment, at Indianapolis, Ind.....                                  | 203        | willfully failing to comply with stockyard orders, etc.....  | 165        |
| United Confederate Veterans' encampment, Chattanooga, Tenn.....  | 203        | failing to keep prescribed accounts, etc., by packers, etc.....  | 168        |
| <i>Cotton,</i>   |            | violating specified provisions of Future Trading Act.....  | 191        |
| deficiency appropriation for suppressing spread of pink bollworm of.....   | 54         | second offense, in searching a private dwelling, etc., by prohibition official without a search warrant..... | 224        |
| temporary duty on long staple.....   | 10         | arrests, etc., by person falsely claiming to be a prohibition enforcement official.....                      | 224        |
| manufactures of long staple; additional to present rates.....  | 10         | willfully refusing to pay income tax, make returns, etc.....   | 269        |
| <i>Cotton Futures Act, United States,</i>  |            | unlawful divulging information from corporation tax returns, by stockholder.....                             | 270        |
| deficiency appropriation for expenses enforcing.....   | 54         | making false returns, etc., to evade estate tax.....   | 288        |
| <i>Cottonseed Oil,</i>   |            | carrying on business, etc., subject to special tax without payment thereof....                               | 298        |
| temporary duty on.....   | 10         | fraudulently removing, etc., revenue stamps from taxed documents, etc.....                                   | 302        |
| <i>Council of National Defense,</i>  |            | reusing, etc., stamp.....  | 302        |
| deficiency appropriation for.....  | 54         | using insufficient stamps.....   | 302        |
| powers, duties, etc., of, relating to highways, transferred to Secretary of Agriculture under Federal Highway Act..... | 212        | counterfeit stamps.....  | 302        |
| <i>Country of Birth,</i>   |            | removing stamps for unlawful uses.....   | 302        |
| nationality of alien immigrants determined by.....   | 6          | possessing washed, etc., stamps.....   | 302        |
| <i>Court of Appeals, D. C.,</i>  |            | transferring, etc., stock not stamped....  | 304        |
| deficiency appropriation for reports of opinions.....  | 33         | making false statements, etc., as to child labor certificates.....   | 307        |
| for expenses.....  | 192        | obstructing revenue officers inspecting premises, etc., employing child labor.....                           | 308        |
| <i>Court of Claims,</i>  |            |  |            |
| deficiency appropriation for paying judgments of.....  | 51, 195    |  |            |
| for paying judgments of, Treasury Department.....  | 196        |  |            |
| interest not allowed on claims up to time of judgment, unless stipulated in contract.....                              | 316        |  |            |

# INDEX.

xxi

|   | Page.            | D.  | Page. |
|---|------------------|---|-------|
| <i>Crimes and Misdemeanors—Continued.</i>   |                  |   |       |
| punishment for willful refusals to pay,<br>account for, etc., taxes other than<br>income, excess profits and estate....   | 309              | <i>Daggers,</i><br>excise tax on, sold by producer, etc.....  | 292   |
| additional tax penalty.....   | 309              | <i>Dahlgren, John B.,</i><br>deficiency appropriation for paying judg-<br>ment of supreme court, District of<br>Columbia, to.....                         | 50    |
| divulging information received by reve-<br>nue officials.....   | 311              | <i>Dairy Products (see Packers and Stockyards<br/>    Act).</i>   |       |
| unauthorized publication, etc., of income<br>returns.....   | 311              | <i>Dallas, Tex., Morning News,</i><br>deficiency appropriations for advertising..   | 45    |
| false statements as to effect of internal<br>revenue tax on price of article sold,<br>etc.....  | 317              | <i>Damages to Persons or Property, Postal<br/>    Service,</i><br>claims for, to be adjusted and paid by<br>Postmaster General.....                       | 63    |
| collecting fee, etc., for registration of<br>Chinese refugees from Mexico.....  | 326              | limitation of amounts.....  | 63    |
| <i>Crimes, etc.,</i><br>deficiency appropriation for detection and<br>prosecution of.....   | 40, 54, 193, 199 | emergency appropriation for, 1922.....  | 63    |
| <i>Criminal Offenses,</i><br>trials, etc., for, to be brought within four<br>years from committing thereof, ex-<br>cept capital cases.....                        | 220              | <i>Damages to Private Property,</i><br>appropriation for paying claims for, caused<br>by Army target practice, etc.....                                   | 84    |
| for frauds against the United States,<br>within six years.....  | 220              | for paying, by naval forces.....  | 123   |
| applicable to prior acts, etc., if limitation<br>has not expired.....   | 220              | for paying claims for, caused by naval<br>aircraft.....   | 123   |
| if barred by existing laws, excepted....  | 220              | <i>Dams,</i><br>construction of, authorized across Mahon-<br>ing River, Warren, Ohio.....   | 141   |
| <i>Crop Estimates Bureau, Department of Agri-<br/>    culture,</i><br>deficiency appropriation for general ex-<br>penses.....                                     | 58, 198          | Wabash River, Huntington, Ind.....  | 143   |
| <i>Crow Indian Reservation, Mont.,</i><br>appropriation for diversion dam on Big<br>Horn River in, immediately avail-<br>able.....                                | 4                | <i>Danish West Indies (see Virgin Islands).</i>   |       |
| <i>Crown Willamette Paper Company,</i><br>may bridge Willamette Falls canal, at lock<br>No. 4.....  | 19               | <i>Dawson Springs, Ky., Sanatorium,</i><br>emergency appropriation for fireproof con-<br>struction of buildings for, 1922.....                            | 62    |
| <i>Cruelly to Children and Animals, Societies for<br/>    Prevention of,</i><br>exempt from income tax.....   | 253              | limit of cost increased.....  | 62    |
| <i>Cukion, P. I.,</i><br>appropriation for care of lepers, etc., naval<br>station.....  | 124              | work under direction of Supervising<br>Architect of the Treasury.....   | 62    |
| <i>Cumberland River,</i><br>time extended for bridging, near Clarks-<br>ville, Tenn.....  | 206              | compensation for services, etc., charged<br>to Office of Supervising Architect..  | 62    |
| <i>Currencies, Foreign (see Foreign Currencies).</i>  |                  | <i>De Fontes, Joseph,</i><br>deficiency appropriation for extra services.   | 50    |
| <i>Curry, George,</i><br>appropriation for services.....  | 2                | <i>De Valls Bluff, Ark.,</i><br>bridge authorized across White River near.  | 323   |
| <i>Customhouse Brokers,</i><br>special tax imposed on; business defined..   | 295              | <i>Dealers in Agricultural Products,</i><br>advances to, by War Finance Corporation,<br>to assist in carrying accumulated<br>surplus, until exported..... | 181   |
| <i>Customs,</i><br>deficiency appropriation for collecting reve-<br>nue from.....   | 51, 55, 196      | <i>Debentures,</i><br>designated, subject to stamp tax.....   | 301   |
| for enforcing, laws, etc.....   | 193              | <i>Decedents,</i><br>tax levied on transfers of estates of, here-<br>after.....   | 277   |
| immediate transportation privileges ex-<br>tended to Fort Worth, Tex.....   | 64               | <i>Deeds, etc., Real Estate,</i><br>stamp tax on, except to secure a debt ....  | 305   |
| stamp tax on, entries.....  | 305              | <i>Deficiency Appropriation Act, 1921, Second,</i><br>Alien Property Custodian, Army passen-<br>ger vehicle for.....                                      | 29    |
| withdrawals from warehouse.....   | 305              | Botanic Garden, Army passenger vehicles<br>for.....   | 29    |
| <i>Customs Division, Treasury Department,</i><br>deficiency appropriation for Dye and<br>Chemical Section.....  | 193              | for Bureau of Efficiency, salaries and ex-<br>penses.....   | 29    |
| <i>Customs Duties (see also Emergency Tariff<br/>    Act),</i><br>levied for six months on specified imports.<br>extended until otherwise provided by<br>law..... | 9                | for Civil Service Commission, traveling<br>expenses.....  | 29    |
| special dumping duty, additional to regu-<br>lar, imposed on certain imports sold<br>at less than fair value.....   | 11               | for District of Columbia.....   | 29    |
|   |                  | audited claims.....   | 33    |
|   |                  | sixty per cent from District revenues.  | 34    |
|   |                  | for Vocational Education Board.....   | 34    |
|   |                  | for Federal Power Commission.....   | 34    |
|   |                  | for Interstate Commerce Commission.....   | 34    |
|   |                  | for Library of Congress.....  | 34    |
|   |                  | for Shipping Board, pay of Commissioners.   | 34    |
|   |                  | Emergency Shipping Fund.....  | 35    |
|   |                  | for Department of State, foreign inter-<br>course.....  | 35    |

| <i>Deficiency Appropriation Act, 1921, Second—</i>         | <i>Page.</i> | <i>Deficiency Appropriation Act, 1921, Second—</i>                        | <i>Page.</i>    |
|--|--------------|---|-----------------|
| <i>Continued.</i>  |              | <i>Continued.</i>   |                 |
| for Treasury Department, Secretary's office.               | 36           | emergency appropriations, etc., Department of Commerce, Fisheries Bureau. | 63              |
| expenses of public debt issues, etc.                       | 36           | Foreign and Domestic Commerce Bureau.                                     | 64              |
| internal revenue.  | 37           | Senate, assistant clerk, Finance Committee.                               | 64              |
| War Risk Insurance Bureau.                                 | 37           | public printing; discontinuance of printing reports by departments.       | 64              |
| public buildings.  | 38           | originals to be kept for public inspection.                               | 64              |
| Public Health Service.                                     | 38           | title of Act.   | 64              |
| distinctive paper.   | 39           | <i>Deficiency Appropriations, Urgent,</i>                                 |                 |
| Engraving and Printing Bureau, sheets for currency notes.  | 39           | for District of Columbia.   | 192             |
| Coast Guard.   | 39           | for Shipping Board.   | 192             |
| for War Department.  | 39           | for Department of State; Conference on Limitation of Armament.            | 192             |
| Pittsburgh Plate Glass Company.                            | 39           | for Treasury Department.  | 193             |
| for Department of Justice.                                 | 39           | customs service.  | 193             |
| Digest of Opinions of Attorney General.                    | 40           | for Department of Justice.  | 193             |
| for judicial, widow of Chief Justice White.                | 40           | United States courts.   | 194             |
| United States courts.                                      | 40           | for Department of Agriculture, enforcing Packers, etc., Act.              | 194             |
| for Post Office Department.                                | 42           | for House of Representatives.   | 195             |
| Postal Service.  | 42           | for judgments, United States courts.                                      | 195             |
| for Navy Department.                                       | 43           | Maryland district court.  | 195             |
| Navy.  | 43           | Court of Claims.  | 195             |
| for Interior Department.                                   | 44           | Broadbent Portable Laundry Corporation excepted.                          | 195             |
| Oregon-California Railroad land, etc.                      | 44           | for claims certified by accounting officers.                              | 195             |
| Bureau of Mines.   | 44           | <i>Deficiency Estimates (see also Budget and Accounting Act, 1921),</i>   |                 |
| Indian Department, audited claims.                         | 44           | provisions regulating transmission of, to Congress.                       | 21              |
| for Department of Agriculture.                             | 45           | <i>Delaware,</i>  |                 |
| Animal Industry Bureau.                                    | 46           | boundary line reestablished by Pennsylvania and, consented to.            | 104             |
| Forest Service.  | 46           | <i>Delegates from the Territories,</i>                                    |                 |
| experiment vineyards, California.                          | 46           | appropriation for mileage.  | 2               |
| for Department of Commerce, Steamboat Inspection Service.  | 47           | <i>Department of Agriculture,</i>   |                 |
| Navigation Bureau.   | 47           | deficiency appropriation for Animal Industry Bureau.                      | 46, 54, 58, 198 |
| Fisheries Bureau.  | 47           | for Forest Service.   | 46, 54, 198     |
| Foreign and Domestic Commerce Bureau.                      | 47           | for increased cost of fuel.   | 46              |
| Standards Bureau.  | 47           | for experiment vineyards, Fresno and Oakville, Calif.                     | 46              |
| for Department of Labor, enforcing immigration laws.       | 48           | for expenses consolidating mailing, etc., work, available in 1922.        | 46              |
| commissioners of conciliation.                             | 48           | for printing and binding for.   | 50              |
| Employment Service, advanced transportation, 1919.         | 48           | for salaries.   | 54              |
| for legislative, statement of appropriations.              | 48           | for library.  | 54, 58, 198     |
| Public Buildings Commission.                               | 48           | for Plant Industry Bureau.  | 54, 58, 198     |
| House Office Building.                                     | 49           | for Weather Bureau.   | 54              |
| Capitol power plant.                                       | 49           | for stimulating agriculture, etc.   | 54, 198         |
| for Senate.  | 49           | for Chemistry Bureau.   | 54, 58, 198     |
| for House of Representatives.                              | 49           | for States Relations Service.   | 54              |
| for Government Printing Office.                            | 49           | for enforcing Cotton Futures Act.   | 54, 58          |
| public printing and binding.                               | 50           | for States Relations Service.   | 54, 198         |
| for judgments, United States courts.                       | 50           | for Soils Bureau.   | 54              |
| District of Columbia supreme court.                        | 50           | for preventing spread of pink bollworm of cotton.                         | 54              |
| South Carolina eastern district.                           | 51           | for miscellaneous expenses.   | 58              |
| Virginia eastern district.                                 | 51           | for Bureau of Biological Survey.  | 58, 198         |
| Court of Claims.   | 51           | for Office of Public Roads and Rural Engineering.                         | 58, 198         |
| claims certified by accounting officers.                   | 51, 55       | for Markets Bureau.   | 58, 198         |
| emergency appropriations, etc.; Civil Service Commission.  | 59           | for Bureau of Crop Estimates.   | 58, 198         |
| District of Columbia, public school buildings and grounds. | 59           | for Federal Horticultural Board.  | 58              |
| branch free public library.                                | 60           | for live stock experiments.   | 58              |
| sixty per cent from District revenues.                     | 60           | for enforcement of Packers and Stockyards Act.                            | 194             |
| Interdepartmental Hygiene Board.                           | 61           | for Bureau of Entomology.   | 198             |
| Department of State, passport bureaus.                     | 61           |   |                 |
| Treasury Department, divisions in Office of the Secretary. | 61           |   |                 |
| Office of Comptroller of the Currency.                     | 61           |   |                 |
| Auditor for Post Office Department.                        | 62           |   |                 |
| hospitals for ex-soldiers, etc.                            | 62           |   |                 |
| War Department, Assistant Secretary.                       | 62           |   |                 |
| Infantry School, Camp Benning, Ga.                         | 62           |   |                 |
| settlement of war contract claims.                         | 63           |   |                 |
| Ogden Arsenal, Utah.                                       | 63           |   |                 |
| Postal Service, damage claims.                             | 63           |   |                 |

| <i>Department of Agriculture—Continued.</i>   |                      | Page. | <i>Department of Labor,</i>  |                 | Page. |
|---|----------------------|-------|--|-----------------|-------|
| advertisements in Dallas Morning News, Tex., Fort Worth Star-Telegram, Tex., and Little Rock Gazette, Ark., for Ozark Forest Road, Ark., construction to be paid from Forest Service funds..... |                      | 45    | deficiency appropriation for expenses regulating immigration.....  |                 | 48    |
| allowance from pink bollworm of cotton appropriation to States, in compensation to farmers for nonproduction losses.....  |                      | 158   | for commissioners of conciliation....  | 48, 54, 199     |       |
| Future Trading Act provisions.....  |                      | 187   | for Employment Service, reappropriation for advanced transportation, 1919.....   |                 | 48    |
| memorial to employees of, who died in war with Germany, may be erected in Department grounds.....   |                      | 170   | for contingent expenses.....   | 54, 199         |       |
| Packers and Stockyards Act provisions....   |                      | 159   | for national security and defense....  | 54, 58, 199     |       |
| payment to Ray Moon, out of rural roads allotment to North Carolina.....  |                      | 46    | for Children's Bureau.....   | 54, 58, 199     |       |
| <i>Department of Commerce,</i>  |                      |       | for enforcing child labor law.....   | 54, 199         |       |
| deficiency appropriation for Steamboat Inspection Service.....  | 47, 54               |       | for Naturalization Bureau.....   | 54, 58          |       |
| for Navigation Bureau.....  | 47                   |       | for Immigration Bureau.....  | 54, 58, 199     |       |
| for Fisheries Bureau.....   | 47, 54, 58, 199      |       | <i>Department of State,</i>  |                 |       |
| for Foreign and Domestic Commerce Bureau.....   | 47, 54, 58           |       | deficiency appropriation for diplomatic and consular service.....  | 35, 53, 58, 198 |       |
| for expenses, national security and defense.....  | 54, 199              |       | for passport bureaus in designated cities.....   | 61              |       |
| for Standards Bureau.....   | 47, 54, 58, 199      |       | for expenses, Limitation of Armament Conference.....   | 192             |       |
| for Census Office.....  | 54                   |       | for national security and defense under furniture, etc., of War Trade Section, transferred to Treasury Department.....       | 192             |       |
| for Coast and Geodetic Survey.....  | 54, 58, 199          |       | <i>Departments, Executive (see Executive Departments).</i>   |                 |       |
| for Lighthouses Bureau.....   | 54, 58, 199          |       | <i>Departures from United States,</i>  |                 |       |
| for contingent expenses.....  | 199                  |       | restrictions on, unless income, etc., tax laws complied with.....  | 267             |       |
| for commercial attachés.....  | 199                  |       | <i>Depositaries, United States Designated,</i>   |                 |       |
| for promoting commerce.....   | 199                  |       | sales of internal revenue stamps by; surety, etc.....  | 303             |       |
| advisory committee of fishing industry to be designated by Secretary.....   | 63                   |       | <i>Deposit Division, Treasury Department,</i>  |                 |       |
| emergency appropriation for expenses of, 1922.....  | 63                   |       | deficiency appropriation for chief of division, etc., 1922.....  | 36              |       |
| allowance for personal services in, from appropriation for promoting commerce, 1922.....  | 64                   |       | <i>Des Arc, Ark.,</i>  |                 |       |
| clerks allowed from appropriation for commercial attachés, 1922; pay restriction.....   | 64                   |       | time extended for bridging White River..   | 323             |       |
| commercial attachés, not exceeding two, may be detailed for duty in.....  | 64                   |       | <i>Des Moines River,</i>   |                 |       |
| <i>Department of Justice,</i>   |                      |       | bridge authorized across, Dumas, Mo.....   | 28              |       |
| deficiency appropriation for contingent expenses.....   | 39, 54, 193          |       | <i>Desert Lands,</i>   |                 |       |
| for law library.....  | 40                   |       | time extended for final proof, etc., of certain entries of, in Riverside County, Calif.....                                  | 66              |       |
| for stationery.....   | 40                   |       | <i>Deserters, Army and Navy,</i>   |                 |       |
| for miscellaneous expenses.....   | 40                   |       | status of, not affected by Resolution declaring the end of World War.....  | 107             |       |
| for automobile for Attorney General....   | 40                   |       | <i>Destitute Soldiers,</i>   |                 |       |
| for library stacks.....   | 40                   |       | free passage and subsistence to, honorably discharged in Europe, and their families to United States on Army transports..... | 103             |       |
| for detection and prosecution of crimes....   | 40, 54, 193, 199     |       | from place of landing to where enlisted, home, etc.....  | 103             |       |
| for Federal Reporter Digest, Volume 12....  | 40                   |       | to other place if distance not greater..   | 103             |       |
| for Supreme Court Reports, Volume 253....   | 40                   |       | to port of embarkation in Europe.....  | 103             |       |
| for traveling, etc., expenses.....  | 40                   |       | without cost en route.....   | 103             |       |
| for preparing, etc., supplemental digest of Volumes 26 to 32, Opinions of the Attorney General.....   | 40                   |       | if discharged in Siberia, from Vladivostok, etc.....   | 103             |       |
| for pay to widow of late Chief Justice Edward Douglas White.....  | 40                   |       | on other vessels from Siberia to Japan   | 103             |       |
| for United States courts.....   | 40, 54, 58, 194, 199 |       | authority for, to cease in six months....  | 103             |       |
| for books for judicial officers.....  | 41, 193              |       | <i>Dike,</i>   |                 |       |
| for printing and binding for.....   | 50                   |       | construction of, authorized across Mud Slough on Isthmus Inlet, Oreg.....  | 65              |       |
| for increase of compensation.....   | 54                   |       | <i>Diplomatic and Consular Service,</i>  |                 |       |
| for expenses, national security and defense under.....  | 54, 199              |       | appropriation for expenses of Peru Centennial Celebration Commission.....  | 67              |       |
| for enforcing antitrust laws.....   | 55                   |       | deficiency appropriation for relief, etc., of American seamen.....   | 35, 54, 58, 198 |       |
| for expenses, Pacific Railway suits.....  | 193                  |       | for contingent expenses, missions.....   | 35, 53, 58, 198 |       |
| for penitentiaries, construction.....   | 194                  |       | for salaries, ambassadors and ministers..  | 53              |       |
|   |                      |       | for transportation, diplomatic and consular officers.....  | 53, 58, 198     |       |
|   |                      |       | for clerks at embassies and legations....  | 53              |       |
|   |                      |       | for consular salaries.....   | 53, 58          |       |
|   |                      |       | for United States court for China.....   | 53              |       |
|   |                      |       | for interpreters at consulates.....  | 53              |       |



|   |              |  |              |
|---|--------------|--|--------------|
| <i>Diplomatic and Consular Service—Continued.</i>       | <i>Page.</i> | <i>District Attorneys, United States Courts,</i> | <i>Page.</i> |
| deficiency appropriation for post allow-                |              | deficiency appropriation for salaries, etc. . .  | 58,          |
| ances . . . . .   | 53           | 194, 199   |              |
| for consular assistants . . . . .                       | 53, 58       | <i>District Courts,</i>                          |              |
| for clerks at consulates . . . . .                      | 53, 58, 198  | established in Hawaii . . . . .                  | 119          |
| for contingent expenses, consulates . . . . .           | 54,          | jurisdiction of, in violations of stockyards     |              |
| 58, 198   |              | regulations, etc. . . . .                        | 166          |
| for secretaries, Diplomatic Service . . . . .           | 58           | for enforcing orders of Secretary of             |              |
| for interpreters and guards in Turkish                  |              | Agriculture, etc. . . . .                        | 167          |
| dominions . . . . .                                     | 198          | jurisdiction of, to secure testimony under       |              |
| for representing interests of foreign                   |              | Revenue Act of 1921 . . . . .                    | 310          |
| Governments, etc. . . . .                               | 198          | to issue process, etc., for enforcing pro-       |              |
| for exposition, Panama . . . . .                        | 198          | visions thereof . . . . .                        | 310          |
| for relief of Americans and prisoners of                |              | additional to other remedies . . . . .           | 311          |
| war in Germany . . . . .                                | 198          | concurrent with Court of Claims for re-          |              |
| rent for dispatch agents allowed from con-              |              | covery of erroneously collected reve-            |              |
| tingent expenses, missions, 1922 . . . . .              | 35           | nuce taxes, etc., if collector dead . . . .      | 311          |
| statements of admissible admission of alien             |              | <i>District Judges,</i>                          |              |
| immigrants until June 30, 1922, to                      |              | additional, authorized for North Dakota          |              |
| be transmitted to officers of . . . . .                 | 6            | district . . . . .                               | 66           |
| <i>Diplomatic Officers,</i>                             |              | West Virginia southern district . . . . .        | 67           |
| deficiency appropriation for post allow-                |              | <i>District of Columbia,</i>                     |              |
| ances . . . . .   | 35           | appropriation for Washington Aqueduct,           |              |
| for transportation . . . . .                            | 53, 58, 198  | etc. . . . .                                     | 3            |
| <i>Director of the Budget Bureau (see also Bureau</i>   |              | for increasing water supply for; plans,          |              |
| <i>of the Budget),</i>                                  |              | engineering work, etc. . . . .                   | 94           |
| appointment of; salary . . . . .                        | 22           | deficiency appropriation for J. Thilman          |              |
| duties . . . . .  | 22           | Hendrick, salary of a Commissioner .             | 29           |
| <i>Dirk Knives,</i>                                     |              | for employees' compensation fund . . . .         | 29           |
| excise tax on, sold by producer, etc. . . . .           | 292          | for Rent Commission . . . . .                    | 30           |
| <i>Disability Compensation, etc., (see War Risk</i>     |              | for Public Library . . . . .                     | 30, 33       |
| <i>Insurance Act Amendments).</i>                       |              | for contingent expenses . . . . .                | 30, 33       |
| <i>Discharged Disabled Soldiers, etc.,</i>              |              | for Superintendent of Weights, Measures,         |              |
| deficiency appropriation for expenses,                  |              | and Markets . . . . .                            | 30           |
| vocational rehabilitation of . . . . .                  | 34           | for advertising . . . . .                        | 30, 33       |
| <i>Diseases among Indians,</i>                          |              | for printing . . . . .                           | 30           |
| deficiency appropriation for prevention,                |              | for sewers . . . . .                             | 30           |
| etc. . . . .  | 53, 57       | for electrical department . . . . .              | 30           |
| authorization of expenditures for relieving             |              | for public schools . . . . .                     | 30, 33       |
| distress and . . . . .                                  | 208          | for instruction of blind children . . . .        | 30           |
| <i>Diseases, Contagious, D. C.,</i>                     |              | for night schools . . . . .                      | 30           |
| deficiency appropriation for preventing                 |              | for fire department . . . . .                    | 31, 33       |
| spread of . . . . .                                     | 31           | for health department . . . . .                  | 31, 33       |
| <i>Dispatch Agents,</i>                                 |              | for juvenile court . . . . .                     | 31, 33       |
| payment of rent for, allowed from appro-                |              | for municipal court . . . . .                    | 31, 33       |
| priation for contingent expenses,                       |              | for police court . . . . .                       | 31           |
| missions, 1922 . . . . .                                | 35           | for lunacy writs . . . . .                       | 32, 33       |
| <i>Distilled Spirits (see also Spirituous Liquors),</i> |              | for support of convicts out of the District.     | 32           |
| additional tax on, tax-paid at nonbeverage              |              | for expenses, supreme court . . . . .            | 32, 198      |
| rates, if diverted to beverage uses . . . . .           | 285          | for National Training School for Girls . .       | 32           |
| reimportation permitted in original pack-               |              | for Tuberculosis Hospital . . . . .              | 32           |
| ages of, exported free of tax, to                       |              | for Columbia Hospital for Women . . . .          | 32           |
| warehouse from which originally                         |              | for Board of Children's Guardians . . . .        | 32           |
| removed . . . . .                                       | 223          | for Industrial Home School . . . . .             | 32           |
| tax exemption, if unpaid, of, lost by fire,             |              | for support, etc., of insane . . . . .           | 33, 34       |
| theft, etc., in transit, or at a dis-                   |              | for paying judgments against . . . . .           | 33           |
| tillery, without negligence, etc., of                   |              | for refund of erroneous collections . . . .      | 33           |
| owner . . . . .   | 223          | for paying claims certified by accounting        |              |
| to extent of no indemnification for loss . .            | 223          | officers . . . . .                               | 33           |
| applicable to prior claims . . . . .                    | 223          | for Public Utilities Commission . . . . .        | 33           |
| industrial alcohol not affected . . . . .               | 223          | for coroner's expenses . . . . .                 | 33           |
| <i>Distillers,</i>                                      |              | for field party, etc., vault space . . . . .     | 33           |
| additional special tax on business of, where            |              | for bridges . . . . .                            | 33           |
| forbidden by State, etc., laws . . . . .                | 296          | for streets, repairs . . . . .                   | 33           |
| no exemption from penalties, etc. . . . .               | 296          | for streets, cleaning, etc. . . . .              | 33           |
| <i>Distinctive Paper (see Paper, Distinctive),</i>      |              | for Rock Creek Park . . . . .                    | 33           |
| <i>Distinguished Service Cross, Army,</i>               |              | for police department . . . . .                  | 33           |
| bestowal of, upon body of unknown un-                   |              | for crematorium . . . . .                        | 33           |
| identified American soldier to be                       |              | for court of appeals reports . . . . .           | 33           |
| buried in Arlington Memorial Am-                        |              | for emergencies . . . . .                        | 33           |
| phitheater, Va. . . . .                                 | 191          | for support of jail prisoners . . . . .          | 33           |
|   |              | for Home for Aged and Infirm . . . . .           | 34           |
|   |              | for workhouse . . . . .                          | 34           |

## XIV

|  |              |   |              |
|--|--------------|---|--------------|
| <i>District of Columbia—Continued.</i>   | <i>Page.</i> | <i>Drawback, Internal Revenue,</i>  | <i>Page.</i> |
| deficiency appropriation for expenses, supreme court, and court of appeals....                       | 192          | deficiency appropriation for allowance....  | 51, 196      |
| emergency appropriation for public schools, 1922.....  | 59           | <i>Drugs, Synthetic Organic,</i>  |              |
| for site for branch of free Public Library in southeastern section.....                              | 60           | entry, etc., of, forbidden for three months. limited admission allowed, if no satisfactory substitute obtainable, etc.... | 18           |
| all above to be paid sixty per cent from District revenues.....                                      | 60           | extended until otherwise provided by law .....  | 220          |
| bread standard loaf; pound and a half weight allowed.....  | 201          | <i>Dues, Club, etc.,</i>  |              |
| incorporations; Gonzaga College, purposes extended and property holdings not limited.....            | 324          | internal revenue tax on, exceeding \$10....   | 291          |
| limitation on car fares, 1921, increased....   | 30           | <i>Dumas, Mo.,</i>  |              |
| rent profiteering provisions modified and time extended.....   | 200          | bridge authorized across Des Moines River at.....   | 28           |
| <i>District of Columbia Code Amendment,</i>  |              | <i>Dumping Duty (see Antidumping Act, 1921).</i>  |              |
| Sec. 833a. Fraudulent disposal of conditionally acquired personal property, punishment modified..... | 9            | <i>Duties on Imports (see also Emergency Tariff Act),</i>   |              |
| <i>District of Columbia, Commissioners of,</i>   |              | special duty levied for six months on designated articles.....  | 9            |
| deficiency appropriation for J. Thilman Hendrick, salary as commissioner....                         | 29           | continued until otherwise provided by law.....  | 220          |
| <i>District of Columbia Rents,</i>   |              | <i>Dye and Chemical Control Act, 1921,</i>  |              |
| provisions of, continued until May 22, 1922.....   | 200          | entry, etc., forbidden for three months, of sodium nitrate.....   | 18           |
| definition of "rental property" modified..   | 200          | dyes or dyestuffs.....  | 18           |
| exclusion of garages, warehouses, etc., when used exclusively for business purposes .....            | 200          | coal tar products.....  | 18           |
| rent commission; pay of commissioners and secretary.....   | 200          | synthetic organic drugs or chemicals....  | 18           |
| attorney added; pay.....   | 200          | admission, etc., allowed if article or substitute not obtainable, etc., in United States.....                             | 18           |
| employees, expenses, etc., authorized....  | 200          | required for consumption within six months from receipt.....  | 18           |
| duties of attorney specified.....  | 200          | provisions of, extended three months....  | 191          |
| accounting, etc.....   | 200          | continued in force until otherwise provided by law.....   | 220          |
| employees to be appointed from civil service eligible; exceptions.....                               | 200          | <i>Dye and Chemical Section, Customs Division,</i>  |              |
| owner may return to tenant within 30 days excess of amount fixed by commission.....                  | 200          | deficiency appropriation for.....   | 193          |
| to move vacation of judgment if obtained therefor.....   | 201          | <i>Dyes and Dyestuffs,</i>  |              |
| judgment null and void if motion not made.....   | 201          | entry, etc., of, forbidden for three months. limited admission allowed, if no satisfactory substitute obtainable, etc.... | 18           |
| violations, etc., before termination of Act to be prosecuted by Attorney General thereafter.....     | 201          | extended three months.....  | 191          |
| continuation of pending proceedings....  | 201          | continued until otherwise provided by law.....  | 220          |
| enforcement of rights accrued prior to termination.....  | 201          |   |              |
| attorney of commission to assist in....  | 201          |   |              |
| provisions effective on enactment.....   | 201          |   |              |
| as to excluded buildings October 22, 1921.....   | 201          |   |              |
| <i>Dividends (see also Revenue Act of 1921),</i>   |              |   |              |
| verified returns of payments of, by corporations to be made; details, etc.....                       | 269          |   |              |
| <i>Domestic Corporations (see Corporations, Domestic).</i>   |              |   |              |
| <i>Dominion Government (see Canada).</i>   |              |   |              |
| <i>Donald, John A.,</i>  |              |   |              |
| unexpended balance available for salary of, as unconfirmed member of Shipping Board.....             | 35           |   |              |
| additional appropriation for.....  | 35           |   |              |
| <i>Draft, Selective,</i>   |              |   |              |
| deficiency appropriation for registration, etc., expenses.....                                       | 52, 56, 196  |   |              |
| <i>Drafts,</i>   |              |   |              |
| stamp tax on, not sight or demand.....   | 305          |   |              |

|   |     |  |       |
|---|-----|--|-------|
| <i>Electrical Devices</i> ,<br>deficiency appropriation for cooperative<br>standardizing, etc., of, used in<br>industries, and by the Government,<br>1922.....  | 48  | <i>Emergency Tariff Act, 1921—Continued</i>  | Page. |
| <i>Electrical, etc., Equipment, Fortifications</i> ,<br>deficiency appropriation for.....   | 196 | statements in invoice to show, in addi-<br>tion, if currency gold, silver, or<br>paper.....                                | 16    |
| <i>Elwell and Company, James W.</i> ,<br>deficiency appropriation for refund to.....  | 44  | by importer at time of entry, additional,<br>as required by regulations.....   | 16    |
| <i>Embassies and Legations</i> ,<br>deficiency appropriation for clerks at.....   | 53  | conversion of foreign currency.....  | 17    |
| <i>Emergency Appropriations, etc., 1921 (see<br/>also Deficiency Appropriation Act<br/>1921, Second)</i> ,<br>provisions for.....   | 59  | value of foreign coins in United States<br>money to be proclaimed by quar-<br>terly circular.....                          | 17    |
| <i>Emergency Fleet Corporation (see also Ship-<br/>ping Board, United States)</i> ,<br>deficiency appropriation for losses, main-<br>tenance, and operation of ships, and<br>administrative expenses..... | 192 | assessment of duties, based on value in cir-<br>cular of quarter when goods ex-<br>ported.....                             | 17    |
| <i>Emergency Shipping Fund</i> ,<br>deficiency appropriation for completing<br>ships now under construction, fiscal<br>year 1921.....   | 35  | when not proclaimed or varying five<br>per cent from New York buying<br>rate.....  | 17    |
| limitation on expenditures.....   | 35  | buying rate based upon rate for cable<br>transfers.....  | 17    |
| for fiscal year 1922.....   | 35  | daily certification of, by New York<br>Federal Reserve Bank.....   | 17    |
| <i>Emergency Tariff Act, 1921</i> ,<br>duty levied for six months on specified<br>imports.....  | 9   | considerations for ascertaining.....   | 17    |
| islands, etc., excepted.....  | 9   | former depreciated currency, and pound<br>sterling valuations repealed.....  | 17    |
| wheat; wheat flour and semolina.....  | 9   | prior importations subject to former con-<br>version rates, and depreciated cur-<br>rency valuations.....                  | 17    |
| flaxseed.....   | 9   | exporter, etc., to permit American official<br>to examine books, etc., pertaining<br>to goods exported thereby.....        | 17    |
| corn or maize.....  | 9   | goods of, forbidden entry on failure.....  | 17    |
| beans, prepared, etc.....   | 9   | delivery to be withheld.....   | 17    |
| peanuts or ground beans.....  | 9   | forfeiture and sale, if failure continues<br>one year.....   | 18    |
| potatoes.....   | 9   | importer to permit appraising officer to<br>inspect books, etc., pertaining to<br>value of goods imported.....             | 18    |
| rice; flour, meal, or broken; paddy.....  | 9   | goods of, forbidden importation on<br>failure.....   | 18    |
| lemons.....   | 10  | delivery of, to be withheld.....   | 18    |
| oils, peanut; cottonseed, coconut, soya<br>bean; olive.....   | 10  | sale of, when failure continues one<br>year, if not previously exported....  | 18    |
| cattle.....   | 10  | meaning of "person" in Antidumping<br>Act, and assessment of ad valorem<br>duties.....                                     | 18    |
| sheep.....  | 10  | "United States," to include Territories<br>and possessions, except designated<br>islands and Canal Zone.....               | 18    |
| meats, fresh; preserved, etc.....   | 10  | enforcement rules, etc., to be prescribed..  | 18    |
| breeding live stock admitted free....   | 10  | Dye and Chemical Control Act, 1921.....  | 18    |
| cotton, long staple.....  | 10  | designated dyes and chemicals prohibited<br>entry for three months.....  | 18    |
| manufactures of; additional to pres-<br>ent rates.....  | 10  | or delivery from customs custody.....  | 18    |
| wool, except carpet; rates; classifi-<br>cation.....  | 10  | admitted if suitable substitutes not<br>obtainable in United States.....   | 18    |
| additional, when sorted, etc.....   | 10  | and required for actual consumption<br>within six months.....  | 18    |
| washed or scoured, and manufactures<br>of; additional to present rates.....   | 10  | extended to six months.....  | 191   |
| sugars, etc.; molasses; drainings or<br>sweepings.....  | 10  | War Trade Section, State Department,<br>abolished.....   | 18    |
| butter and substitutes.....   | 10  | transfer to Treasury Department of<br>personnel.....   | 18    |
| cheese and substitutes.....   | 10  | records relating to dye and chemical<br>control.....   | 18    |
| milk, fresh, cream.....   | 10  | licenses issued by, continued.....   | 19    |
| preserved or condensed; sugar of<br>milk.....   | 10  | funds, etc., to be expended by Secretary<br>of the Treasury.....   | 19    |
| tobacco, wrapper; filler.....   | 10  | title of Act.....  | 19    |
| classification of wrapper and filler....  | 11  | provisions continued in force until other-<br>wise provided by law.....  | 220   |
| apples.....   | 11  | <i>Employees' Compensation Fund, District of<br/>Columbia</i> ,<br>deficiency appropriation for paying awards,<br>etc..... | 29    |
| cherries.....   | 11  |  |       |
| olives.....   | 11  |  |       |
| duties in lieu of existing rates.....   | 11  |  |       |
| former restored after six months.....   | 11  |  |       |
| collection, etc., under existing laws...  | 11  |  |       |
| title of Act.....   | 11  |  |       |
| ANTIDUMPING ACT (see under title thereof).  | 11  |  |       |
| ASSESSMENT OF AD VALOREM DUTIES (see<br>under title thereof).....   | 15  |  |       |
| general provisions.....   | 16  |  |       |

# INDEX.

xxvii

|  |              |   |              |
|--|--------------|---|--------------|
| <i>Employees' Retirement Act, Civil,</i>   | <i>Page.</i> | <i>Enlisted Men, Army—Continued.</i>  | <i>Page.</i> |
| deficiency appropriation for expenses of Pension Office executing.....   | 56           | issue of uniforms to discharged, repealed..   | 82           |
| <i>Employment Service, Department of Labor,</i>  |              | allowed to men serving between April 7, 1917, and January 1, 1920; time limit for applications.....           | 82           |
| deficiency appropriation for advanced transportation, 1919.....  | 48           | reduction ordered, so that pay appropriation for 1922 will defray pay of, for the fiscal year.....            | 76           |
| <i>Encampments and Maneuvers, Organized Militia,</i>   |              | <i>Enlisted Men, Marine Corps,</i>  |              |
| deficiency appropriation for.....  | 196          | appropriation for pay, active and reserve...  | 136          |
| <i>Engineer Department, Army,</i>  |              | for retired.....  | 136          |
| appropriation for expenses of depots.....  | 88           | for undrawn clothing.....   | 136          |
| for maintenance of school, Washington, D. C.....   | 88           | for commutation of quarters, etc.....   | 136          |
| tuition of students officers at technical institutions.....  | 88           | for provisions.....   | 137          |
| travel expenses of officers for instruction.....   | 89           | for clothing.....   | 137          |
| for equipment of troops.....   | 89           | <i>Enlisted Men, Navy,</i>  |              |
| for civilian assistants.....   | 89           | appropriation for pay, on retired list.....   | 131          |
| for operations in the field.....   | 89           | for extra pay, on reenlistment.....   | 131          |
| allowed for purchase of options for materials.....   | 89           | for pay, active list.....   | 131          |
| temporary construction for training only.....  | 89           | for paying \$60 discharge gratuity.....   | 131          |
| for contingencies, Philippine Islands....  | 89           | for death allowances.....   | 132          |
| for military surveys and maps.....   | 89           | for transportation of dependents of.....  | 124          |
| assistance of other Government surveys, etc.....   | 89           | for recreation, etc., of.....   | 124          |
| for constructing, etc., roads, bridges, and trails, Alaska.....  | 90           | reenlistment gratuity, etc., not to exceed pay for each year of last enlistment service.....                  | 139          |
| deficiency appropriation for school, Washington, D. C.....   | 52           | <i>Enlisted Reserve Corps, Army,</i>  |              |
| for depots.....  | 56           | appropriation for pay of enlisted men.....  | 74           |
| for operations in the field.....   | 196          | for commutation of quarters, etc., enlisted men.....  | 75           |
| balance of appropriation for field operations 1921, available for Pittsburgh Plate Glass Company, in fiscal year 1922..... | 39           | for clothing.....   | 81           |
| <i>Engineer School, Washington, D. C.,</i>   |              | <i>Entertainments, Religious, Educational, Charitable, etc.,</i>  |              |
| appropriation for equipment and maintenance.....   | 88           | exempt from admission tax.....  | 290          |
| deficiency appropriation for.....  | 52           | <i>Entomology Bureau, Department of Agriculture,</i>  |              |
| <i>Engineering Experiment Station, Naval Academy,</i>  |              | deficiency appropriation for general expenses.....  | 198          |
| appropriation for expenses of investigations, etc.....   | 134          | <i>Entries, Customhouse,</i>  |              |
| <i>Engraving and Printing Bureau, Treasury Department.</i>   |              | stamp tax on.....   | 305          |
| deficiency appropriation for materials, etc. 56, 196   |              | <i>Epidemics,</i>   |              |
| number of sheets increased, United States currency, National bank, and Federal reserve notes, 1921.....                    | 39           | deficiency appropriation for prevention of. 38, 51  |              |
| <i>Enlisted Men, Army,</i>   |              | <i>Equipage, Army Camp, and Garrison,</i>   |              |
| appropriations for pay of line and staff....   | 74           | appropriation for.....  | 81           |
| discharges of minors.....  | 74           | deficiency appropriation for.....   | 196          |
| discharges allowed on application, to reduce strength to 150,000.....  | 74           | <i>Equipment, Mechanical, etc.,</i>   |              |
| enlistment allowance pay repealed.....   | 74           | deficiency appropriation for cooperative standardizing, etc., of, used in industry, and by the Government.... | 48           |
| for pay, National Guard.....   | 74           | <i>Equipment Supplies, Navy,</i>  |              |
| for pay, Enlisted Reserve Corps.....   | 74           | appropriation for Bureau of Navigation...   | 125          |
| for Air Service, aviation increase maximum number.....   | 74           | for Bureau of Supplies and Accounts...  | 132          |
| flying cadets, enlistments.....  | 74           | for Bureau of construction and Repairs..  | 133          |
| for pay, Philippine Scouts.....  | 74           | for Bureau of Engineering.....  | 134          |
| for longevity.....   | 74           | deficiency appropriation for Bureau of Navigation.....  | 197          |
| for retired.....   | 74           | <i>Estate Tax, Title IV, Revenue Act of 1913,</i>   |              |
| for pay, etc., retired, on active duty.....  | 74           | repealed.....   | 320          |
| for commutation of quarters, etc., retired, on active duty.....  | 75           | <i>Estate Tax, Title IV, Revenue Act of 1921,</i>   |              |
| for interest on deposits.....  | 75           | definition of terms used herein.....  | 277          |
| for 20 per cent increase, on foreign service.  | 76           | imposed on transfers of estates of decedents hereafter; rates on net estate.....                              | 277          |
| deficiency appropriation for extra duty pay, at headquarters.....  | 52           | not applicable if person in armed service, etc., during the war.....  | 278          |
| for disposition of remains of.....   | 197          | refund of previous collections.....   | 278          |
|  |              | gross estate to include, all property subject to administration.....  | 278          |
|  |              | dower and curtesy interests.....  | 278          |
|  |              | gifts, etc., in contemplation of death... prior transfers within two years included.....                      | 278          |

| <i>Estate Tax, Title IV, Revenue Act of 1921—</i>  | <i>Page.</i> | <i>Estate Tax, Title IV, Reserve Act of 1921—</i>  | <i>Page.</i> |
|--|--------------|--|--------------|
| Continued.   |              | Continued.   |              |
| gross estate; extent of joint property inter-<br>ests of decedent.....   | 278          | lien on property transferred in contempla-<br>tion of death.....   | 283          |
| exception, of property owned by other<br>person, and not acquired from de-<br>cedent for less than value.....                | 278          | under contract with specific beneficiary<br>for insurance.....   | 283          |
| acquired as tenancy in entirety by gift,<br>etc., to half of value.....  | 278          | persons liable.....  | 283          |
| passing under general power of appoint-<br>ment; except bona fide sale.....  | 279          | innocent purchases for value excepted..  | 283          |
| life insurance received by executor....  | 279          | punishment for false returns, concealing<br>property, etc.....   | 283          |
| in excess of \$40,000 received by bene-<br>ficiaries from decedent.....  | 279          | administration of property of residents dy-<br>ing in China.....   | 283          |
| net value of estate determined.....  | 279          | tax to be paid to clerk of United States<br>court if no estate in United States..  | 283          |
| of residents, by deducting funeral, ad-<br>ministration, etc., expenses; excep-<br>tions.....                                | 279          | to revenue district in United States if<br>any estate there.....   | 283          |
| value of property on which estate tax<br>has been paid; applicable to deaths<br>since September 8, 1916.....                 | 279          | clerk of court to act as collector.....  | 283          |
| gifts for public purposes, to charities,<br>etc.; applicable to deaths since De-<br>cember 31, 1917.....                     | 279          | former authorization, etc., of clerk re-<br>pealed.....  | 284          |
| exemption of \$50,000.....   | 280          | <i>Estates,</i>  |              |
| of nonresidents, by deduction of propor-<br>tionate share of administration from<br>property in United States; limit....     | 280          | income of, subject to income tax.....  | 246          |
| property from prior decedent on<br>which estate tax has been paid; ap-<br>plicable to deaths since September<br>8, 1916..... | 280          | <i>Estimates of Appropriations (see also Budget<br/>and Accounting Act, 1921),</i>   |              |
| gifts, transfers, etc., for public pur-<br>poses, to charities, etc.; prior appli-<br>cation.....                            | 280          | codification of laws relating to, by Budget<br>Bureau, directed, etc.....  | 22           |
| returns required.....  | 280          | compiling, transferred from Bookkeeping,<br>etc., Division to Bureau of the<br>Budget.....   | 22           |
| property included as within the<br>United States; construction of term.  | 280          | departmental, etc., to be prepared by<br>budget officer thereof.....   | 23           |
| insurance, and bank deposits, if not in<br>business in United States, not<br>deemed property therein.....                    | 280          | revision by head of, and submission to<br>Budget Bureau at stated time.....  | 23           |
| missionaries dying in service abroad not<br>deemed nonresidents.....   | 281          | <i>Ethnology, American,</i>  |              |
| refund of tax paid gifts, etc.....   | 281          | deficiency appropriation for printing and<br>binding for Bureau of.....  | 50           |
| returns to be made by executor after<br>qualifying; requirements.....  | 281          | <i>Europe,</i>   |              |
| if gross estate exceeds \$500,000; or non-<br>residents of estate in United States.  | 281          | free passage, etc., on transports to desti-<br>tute soldiers honorably discharged<br>in, and their families, to United<br>States, etc.....               | 103          |
| partial returns.....   | 281          | <i>European Countries,</i>   |              |
| assessments by Commissioner.....   | 281          | deficiency appropriation for expenses of<br>office of Secretary of the Treasury,<br>1922, under Act providing relief to<br>population in.....            | 36           |
| by collector, if no administration<br>granted, etc.....  | 281          | <i>Ex-Service Men, Army, etc.,</i>   |              |
| time of payment; extension; interest added<br>for delay.....   | 281          | preference right for homestead entries on<br>next opening under North Platte<br>irrigation project to, prevented by<br>conflicting rights at former..... | 7            |
| payment of additional amounts found due.   | 281          | <i>Examinations, Unnecessary,</i>  |              |
| interest for nonpayment.....   | 282          | restriction on, of taxpayers, accounts, etc.   | 310          |
| lien on entire estate for.....   | 282          | <i>Excess-Profits Tax (see also War-Profits and<br/>Excess-Profits Tax),</i>   |              |
| duplicate receipts for payments.....   | 282          | provisions relating to, in Revenue Act of<br>1921.....   | 271          |
| executor discharged from liability on pay-<br>ment of tax determined by Commis-<br>sioner.....                               | 282          | <i>Excise Taxes, Title IX, Revenue Act of 1918,</i>  |              |
| gross estate liable if additional tax found<br>due.....  | 282          | repealed.....  | 321          |
| bona fide purchaser protected.....   | 282          | <i>Excise Taxes, Title IX, Revenue Act of 1921,</i>  |              |
| collection of unpaid tax; sale of property<br>under decree of court.....   | 282          | levied on sales by manufacturer, etc., of<br>designated articles.....  | 291          |
| use of proceeds of sale.....   | 282          | if sold at wholesale and retail.....   | 292          |
| reimbursement for tax paid by other<br>than executor.....  | 282          | in lieu of previous tax.....   | 292          |
| from life insurance to executor from<br>beneficiary.....   | 282          | computation if articles, or motion-pic-<br>ture films, sold, etc., at less than mar-<br>ket price for personal benefit.....                              | 292          |
| unpaid tax a lien on property for ten<br>years; exception.....   | 283          | works of art by other than artist; ex-<br>ception.....   | 292          |
| release on payment, etc.....   | 283          | monthly returns; payment on filing.....  | 293          |
|  |              | penalty tax for nonpayment.....  | 293          |
|  |              | on sales by manufacturers, etc., of desig-<br>nated articles above specified prices..  | 293          |

# INDEX.

xxix

| <i>Excise Taxes, Title IX, Revenue Act of 1921—Continued.</i>  | Page. | F.  | Page. |
|--|-------|---|-------|
| levied on sales by dealers, of jewelry, precious stones, etc. ....   | 293   | <i>Factories,</i><br>excise tax on products of, using prohibited child labor .....  | 306   |
| articles of precious metal, or fitted with, except surgical instruments, eyeglasses, and spectacles.....   | 293   | <i>Fairbanks, Alaska,</i><br>additional amount authorized for completing railroad, etc., from Seward to...  | 221   |
| time pieces, optical goods, etc.....   | 293   | <i>Fairs, Agricultural, Industrial, etc.,</i><br>exempt from admission tax; conditions...   | 290   |
| payment, returns, etc.; penalty tax for failure to make.....   | 293   | special excise tax.....   | 296   |
| vendee to pay tax on articles not taxed before, if contract for sale, etc., prior to August 15, 1921, will not permit it to be added to price..... | 293   | <i>False Personifications,</i><br>punishment for arrest, etc., by person falsely claiming to be a United States official.....                                 | 224   |
| vendor to refund difference, if former tax greater than present, and contract prior to August 15, 1921, does not allow deduction from price.....   | 294   | searching person, building, etc., of any person.....  | 224   |
| vendor to refund former tax if none now imposed, and contract prior to August 15, 1921, does not allow deduction from price.....                   | 294   | <i>Family Allowances, Army and Navy (see War Risk Insurance Act Amendments).</i>  |       |
| tax payable to vendor by vendee, when sale consummated.....  | 294   | <i>Fans,</i><br>excise tax on, sold above specified price..   | 293   |
| refund to vendee by vendor when sale consummated.....  | 294   | <i>Farm Loan Act, Federal (see Federal Farm Loan Act Amendment).</i>  |       |
| triple damages to vendee on failure.....   | 294   | <i>Farm Loan Associations,</i><br>exempt from income tax.....   | 253   |
| purchaser intending to manufacture article for sale from the one bought, deemed a dealer.....  | 294   | <i>Farm Loan Bonds,</i><br>denominations; term; interest.....   | 159   |
| levied on net profits of business using prohibited child labor.....  | 306   | <i>Farm Products,</i><br>associations for marketing, etc., exempt from income tax.....  | 253   |
| <i>Executive Departments, etc.,</i><br>budget officer to be designated by heads of, to prepare estimates therefor.....                             | 23    | <i>Farm Products, etc. (see also War Finance Corporation Amendments),</i><br>provisions for assisting exportation of, etc..                                   | 181   |
| exhibits for Rio de Janeiro, Brazil, Exposition, to be loaned by.....  | 210   | <i>Farmers, etc.,</i><br>not regarded as dealers in leaf tobacco produced by them.....  | 289   |
| printing of annual reports, etc., by heads of, discontinued.....   | 64    | <i>Farmers' Mutual Local Associations, etc.,</i><br>exempt from income tax.....   | 253   |
| originals to be kept on file for public inspection.....  | 64    | <i>Federal Aid Act (see Federal Highway Act).</i>   |       |
| study of operations of, by Budget Bureau directed, for securing greater economy and efficiency in the public service.....                          | 22    | <i>Federal Board for Vocational Education,</i><br>deficiency appropriation for rehabilitation, etc., of discharged soldiers, etc.....                         | 34    |
| report to the President of, and recommendations by, to Congress.....   | 22    | payments to trainers or dependents...<br>application for training to be made within eighteen months.....  | 34    |
| <i>Exhibitions, Religious or Charitable,</i><br>exempt from special excise tax.....  | 296   | duties, etc., of rehabilitation division, transferred to Veterans' Bureau....   | 148   |
| <i>Explosives,</i><br>deficiency appropriation for enforcing law regulating manufacture, use, etc., of.  | 53    | <i>Federal Control Act, 1918,</i><br>deficiency appropriation for expenses of office of Secretary of the Treasury, 1922, under.....                           | 36    |
| <i>Export Industries, United States,</i><br>deficiency appropriation for investigating, etc., domestic and foreign problems relating to, 1922..... | 47    | <i>Federal Court Reports and Digests,</i><br>deficiency appropriation for Federal Reporter Digest, Vol. 12.....   | 40    |
| <i>Exportation of Agricultural Products, etc. (see also War Finance Corporation Act Amendments),</i><br>provisions for assisting, etc.....         | 181   | <i>Federal Farm Loan Act Amendments,</i><br>additional loan of Government deposits to land banks until paid in capital amounts to \$50,000,000.....           | 105   |
| <i>Exporters of Domestic Products,</i><br>advances to assist, allowed until July 1, 1922; conditions.....  | 183   | payment, redemption.....  | 105   |
| former limitation, etc., repealed.....   | 183   | not to exceed difference between capital and amount authorized.....   | 105   |
| <i>Exposition, International,</i><br>acceptance of invitation to participate in, at Rio de Janeiro, Brazil.....                                    | 209   | interest on certificates of indebtedness issued for.....  | 105   |
| <i>Exposition, Portland, Oreg.,</i><br>foreign nations invited to participate in..   | 158   | farm loan bonds; denominations.....   | 159   |
| <i>Eyeglasses,</i><br>with precious metal mountings, etc., exempt from excise tax on sales of....  | 293   | minimum term not longer than ten years<br>interest coupons; series to be issued....<br>rate of interest increased; reduced of issues after June 30, 1923..... | 159   |
|  |       | <i>Federal Highway Act,</i><br>title of Act.....  | 212   |
|  |       | meaning of terms used; "Federal Aid Act".....   | 212   |
|  |       | "highway"; limitations.....   | 212   |
|  |       | "State highway department".....   | 212   |

*Federal Highway Act—Continued.*

|  |     |
|--|-----|
| meaning of terms used; "maintenance" ..  | 212 |
| "construction"; "reconstruction" .....   | 212 |
| "forest roads" .....   | 212 |
| "State funds" .....  | 212 |
| highways, etc., under control of Council of<br>National Defense transferred to Sec-<br>retary of Agriculture ..... | 212 |
| in national parks and Government reser-<br>vations not affected .....  | 212 |
| cooperation for construction of, in Indian<br>reservations .....   | 212 |
| accounting division to be installed .....  | 213 |
| surplus Army material, etc., to be trans-<br>ferred for construction, etc. ....                                    | 213 |
| distribution among States .....  | 213 |
| reservation for forest roads, etc. ....  | 213 |
| projects connecting interstate systems to be<br>given preference .....   | 213 |
| mileage to be selected by States before<br>approval of .....   | 213 |
| Federal aid to be expended on selected ..  | 213 |
| proportion to interstate; to intercounty ..  | 213 |
| approval, etc., of systems; proposed re-<br>visions .....  | 213 |
| limitation of allotments for interstate<br>systems; extensions .....   | 213 |
| submitted prior to selection, etc., may<br>be approved .....   | 213 |
| additional mileage construction author-<br>ized when completion of approved<br>systems provided for .....          | 213 |
| State funds for construction and mainte-<br>nance to be provided before, may be<br>approved .....                  | 214 |
| to be under control of State highway<br>department .....   | 214 |
| surface types and construction material to<br>be adequate for traffic .....  | 214 |
| approval by Secretary .....  | 214 |
| highways to be free from tolls .....   | 214 |
| width of right of way for interstate .....   | 214 |
| apportionment available on receipt of gov-<br>ernor's certificate .....  | 214 |
| proposed projects to be submitted by<br>States .....   | 214 |
| on approval by Secretary, plans, etc., to<br>be furnished .....  | 214 |
| notification of approval to highway de-<br>partment .....  | 214 |
| certificate to Secretary of the Treasury ..  | 214 |
| amount to be set aside therefor .....  | 214 |
| increased allowance to States with large<br>area of public lands .....   | 214 |
| limitation of expenditures under former<br>Act may be extended for public land<br>States .....                     | 214 |
| unobligated and unmatched funds avail-<br>able for projects not begun June 30,<br>1921 .....                       | 215 |
| construction work, etc., to be undertaken<br>by State highway department .....                                     | 215 |
| subject to State laws .....  | 215 |
| inspection and approval by Secretary ..  | 215 |
| payment authorized on completion of ap-<br>proved projects .....   | 215 |
| advances allowed during construction;<br>limitation .....  | 215 |
| to State official on warrant drawn by<br>Secretary of Agriculture .....  | 215 |

*Federal Highway Act—Continued.*

|  |     |
|--|-----|
| States failing to maintain aided highways<br>to be notified .....  | 215 |
| work by Secretary of Agriculture if no<br>action taken .....   | 215 |
| cost charged to State .....  | 215 |
| other projects to be refused approval ..   | 215 |
| if reimbursement by, amount added to<br>highway fund .....   | 215 |
| approval of further projects allowed ..  | 215 |
| authority of Secretary to contract for<br>work .....   | 215 |
| procure equipment, etc., if no satis-<br>factory contract obtainable .....   | 215 |
| map showing approved systems to be pre-<br>pared and published .....   | 216 |
| annual supplements thereafter .....  | 216 |
| conveyance of rights of way on Govern-<br>ment granted lands consented to .....  | 216 |
| use of public lands for rights of way or<br>construction materials authorized .....                                    | 216 |
| application for, to be filed .....   | 216 |
| transfer to State highway department for<br>specified use .....  | 216 |
| reversion when no longer needed .....  | 216 |
| rules, regulations, etc., to be prescribed ..  | 216 |
| detailed annual report to be made of work<br>done, expenses, etc. ....   | 216 |
| special reports as requested .....   | 216 |
| appropriation for execution of Act .....   | 216 |
| deduction from appropriations for admin-<br>istrative expenses, research studies,<br>etc. ....                         | 217 |
| amount not needed to be apportioned to<br>States .....   | 217 |
| ratio of apportionment of highway fund; to<br>area; to population; to rural deliv-<br>ery and star route mileage ..... | 217 |
| minimum State allowance .....  | 217 |
| moneys available to close of second fis-<br>cal year .....   | 217 |
| applicable to apportionment under<br>Federal Aid Act .....   | 217 |
| apportionment of unexpended bal-<br>ances .....  | 217 |
| certification to be made within 60 days of<br>State apportionment, etc. ....   | 217 |
| for fiscal year, 1922 .....  | 217 |
| for succeeding years .....   | 217 |
| appropriation for forest roads and trails for<br>fiscal year 1922 .....  | 218 |
| for fiscal year 1923 .....   | 218 |
| amount authorized for roads and trails of<br>primary importance for protection<br>of national forests, etc. ....       | 218 |
| apportionment to States, Alaska, and<br>Porto Rico .....   | 218 |
| of primary importance to States, etc.,<br>adjoining national forests .....   | 218 |
| apportionment to States, Alaska, and<br>Porto Rico .....   | 218 |
| cooperation of local authorities, etc.,<br>may be accepted .....   | 218 |
| contracts with States, etc., for construc-<br>tion, etc., authorized .....   | 218 |
| construction work costing \$5,000 to be<br>let to contract .....   | 218 |
| of less amount may be done by Secre-<br>tary of Agriculture .....  | 218 |
| appropriations available for expenses<br>of .....  | 218 |

# INDEX.

xxx

|  | Page. |  | Page.       |
|--|-------|--|-------------|
| <i>Federal Highway Act—Continued.</i>            |       | <i>Fire Department, D. C.,</i>                   |             |
| approval of projects where State laws, etc.,     |       | deficiency appropriation for contingent          |             |
| prevent use of revenues therefor....             | 218   | expenses.....                                    | 31, 38      |
| conditions permitting.....                       | 218   | for fuel.....                                    | 31          |
| invalidity of any provision not to affect        |       | for repairs to houses, etc.....                  | 33          |
| remainder of Act.....                            | 219   | <i>Firearms, Shells, and Cartridges,</i>         |             |
| effective on passage.....                        | 219   | excise tax on, sold by producer, etc.; ex-       |             |
| <i>Federal Horticultural Board,</i>              |       | ceptions.....                                    | 202         |
| deficiency appropriation for general ex-         |       | <i>Fisheries Bureau, Department of Commerce,</i> |             |
| penses.....                                      | 58    | deficiency appropriation for vessel service,     |             |
| <i>Federal Land Banks,</i>                       |       | 1922.....  | 47          |
| additional deposits authorized to, until         |       | for maintenance of vessels.....                  | 47          |
| aggregate capital reaches \$50,000,000           | 105   | for Alaska service.....                          | 47          |
| redemption, after general offering of            |       | for miscellaneous expenses.....                  | 54, 58, 197 |
| farm loan bonds.....                             | 105   | advisory committee on fishery industry to        |             |
| limitation of amount.....                        | 105   | be designated.....                               | 63          |
| interest rate.....                               | 105   | composition of; geographical selection...        | 63          |
| exempt from income tax.....                      | 253   | duties; no compensation.....                     | 63          |
| <i>Federal Power Commission,</i>                 |       | emergency appropriation for expenses,            |             |
| amount allowed for printing and binding,         |       | 1922.....  | 64          |
| 1922.....  | 34    | <i>Fishery Industry,</i>                         |             |
| <i>Federal Reserve Act Amendments,</i>           |       | advisory committee on, to be designated..        | 63          |
| acceptances of banking associations for          |       | composition, duties, etc., no compensa-          |             |
| foreign export trade under, may be               |       | tion.....  | 63          |
| purchased by War Finance Corpora-                |       | emergency appropriation for expenses             |             |
| tion; conditions, etc.....                       | 183   | of, 1922.....                                    | 64          |
| corporations for foreign financial opera-        |       | exhibit of, to be prepared for Rio de Ja-        |             |
| tions; capital required.....                     | 28    | neiro, Brazil, Exposition.....                   | 210         |
| installment payments for stock.....              | 28    | report to accompany.....                         | 210         |
| subject to call after \$2,000,000 of stock       |       | <i>Five Civilized Tribes of Indians,</i>         |             |
| paid in.....                                     | 28    | deficiency appropriation for Cherokee            |             |
| unpaid subscriptions by national banks           |       | Orphan Training School.....                      | 57          |
| included in holdings allowed.....                | 28    | <i>Flandreau, S. Dak.,</i>                       |             |
| limitation on liabilities outstanding.....       | 28    | deficiency appropriation for Indian school.      | 57          |
| <i>Federal Reserve Banks,</i>                    |       | <i>Flax (see also Future Trading Act),</i>       |             |
| may accept War Finance Corporation               |       | provisions governing contracts for future        |             |
| bonds, etc., as collateral for dis-              |       | delivery of.....                                 | 187         |
| counts, etc.....                                 | 184   | <i>Flaxseed,</i>                                 |             |
| to act as depositaries and fiscal agents of      |       | temporary duty on.....                           | 9           |
| War Finance Corporation.....                     | 184   | <i>Flood Control,</i>                            |             |
| <i>Federal Reserve Notes,</i>                    |       | examination directed of Yazoo River,             |             |
| deficiency appropriation for additional          |       | Miss., for.....                                  | 146         |
| counters, office of Comptroller of the           |       | survey of Calaveras River, Calif., for....       | 171         |
| Currency, 1922, on.....                          | 36    | <i>Floods, Arkansas River, etc.,</i>             |             |
| for expenses, distinctive paper for.....         | 39    | use of Army supplies, etc., for relief of suf-   |             |
| <i>Federal Trade Commission,</i>                 |       | ferers from, in Colorado.....                    | 19          |
| enforcement powers of, conferred upon            |       | <i>Florence and Marion Counties, S. C.,</i>      |             |
| Secretary of Agriculture in execut-              |       | may bridge Great Pee Dee River, Mars             |             |
| ing Packers and Stockyards Act....               | 168   | Bluff Ferry.....                                 | 322         |
| <i>Feeble Minded Children, D. C.,</i>            |       | <i>Florida Road Department,</i>                  |             |
| deficiency appropriation for maintenance.        | 32    | time extended for bridging Choctawhat-           |             |
| <i>Field Artillery, Army,</i>                    |       | chee River, Caryville, Fla., by.....             | 220         |
| appropriation for instruction in, activities.    | 70    | <i>Flour,</i>                                    |             |
| <i>Field Artillery Schools, Army,</i>            |       | temporary duty on wheat.....                     | 9           |
| appropriation for instruction expenses....       | 70    | <i>Flying Cadets, Army,</i>                      |             |
| <i>Field Clerks, Army,</i>                       |       | reduction enlisted strength of Army not to       |             |
| appropriation for pay.....                       | 75    | affect number of.....                            | 74          |
| foreign service.....                             | 75    | <i>Flying Schools, Army,</i>                     |             |
| for commutation of quarters, etc.....            | 75    | appropriation for instruction expenses....       | 72          |
| for mileage.....                                 | 75    | <i>Food Administration,</i>                      |             |
| <i>Field Clerks, Quartermaster Corps, Army,</i>  |       | deficiency appropriation for salaries and        |             |
| appropriation for commutation of quarters,       |       | expenses.....                                    | 58, 198     |
| etc.....   | 75    | <i>Food and Fuel Administrations,</i>            |             |
| for mileage.....                                 | 75    | deficiency appropriation for national se-        |             |
| <i>Field Glasses,</i>                            |       | curity and defense educational ex-               |             |
| excise tax on sales of, by dealers.....          | 293   | penses.....                                      | 54          |
| <i>Filbrin Corporation,</i>                      |       | for national security and defense.....           | 198         |
| deficiency appropriation for paying judg-        |       | <i>Food Products, Agricultural,</i>              |             |
| ment of South Carolina eastern dist-             |       | deficiency appropriation for facilitating        |             |
| trict court to.....                              | 51    | distribution of.....                             | 58          |
| <i>Finance Department, Army,</i>                 |       | <i>Foodstuffs, Army,</i>                         |             |
| appropriation for pay, etc., of the Army...      | 73    | surplus, etc., may be sold to friendly for-      |             |
| for clerks, etc.....                             | 76    | ign governments.....                             | 68          |
| <i>Financial Institutions (see Banks, etc.).</i> |       |  |             |



|   |            |  |                 |
|---|------------|--|-----------------|
| <i>Forage, Marine Corps,</i><br>appropriation for.....  | 138        | <i>Fort Berthold Agency, N. Dak.,</i><br>deficiency appropriation for Indians at....   | 57              |
| <i>Ford, Henry Jones,</i><br>deficiency appropriation for services as<br>Interstate Commerce Commissioner.....  | 34         | <i>Fort Berthold Indian Reservation, N. Dak.,</i><br>deficiency appropriation for barns.....                                   | 45              |
| <i>Foreign and Domestic Commerce,</i><br>deficiency appropriation for expenses pro-<br>moting.....  | 54, 58     | <i>Fort Buford Military Reservation, N. Dak. and<br/>Mont.,</i><br>sale authorized of undisposed of lands in<br>abandoned..... | 150             |
| <i>Foreign and Domestic Commerce Bureau, De-<br/>partment of Commerce,</i><br>deficiency appropriation for additional<br>employees, 1922.....   | 47         | <i>Fort Gibson, Okla.,</i><br>time extended for bridging Arkansas River<br>near.....   | 104             |
| for investigating, etc., problems relating<br>to important export industries, 1922....  | 47         | <i>Fort Leavenworth, Kans.,</i><br>appropriation for Army School of the Line<br>and General Staff School at.....               | 69              |
| for promoting commerce.....   | 54, 58     | <i>Fort Madison, Iowa,</i><br>disposal of unsold lots in town site.....  | 186             |
| assignment of trade commissioners for De-<br>partment duty authorized, 1922.....  | 47         | sale to present occupants on application.<br>donation of, used for public improve-<br>ments, to the municipality.....          | 186<br>186      |
| clerks allowed from appropriation for com-<br>mercial attachés, 1922; pay restric-<br>tion.....   | 64         | remainder to be sold at appraised value,<br>etc.....   | 187             |
| commercial attachés, not exceeding two,<br>may be detailed for duty in Depart-<br>ment.....   | 64         | <i>Fort Mojave, Ariz.,</i><br>deficiency appropriation for Indian school.....  | 197             |
| <i>Foreign Currencies,</i><br>value of, in United States money.....   | 17         | <i>Fort Monroe, Va.,</i><br>appropriation for Coast Artillery school....   | 70              |
| quarterly circular estimating, to be pro-<br>claimed.....   | 17         | <i>Fort Riley, Kans.,</i><br>appropriation for Cavalry School.....   | 69              |
| duties on imports to be assessed, for<br>quarter in which exported.....   | 17         | <i>Fort Sill, Okla.,</i><br>appropriation for Field Artillery school....   | 70              |
| if not proclaimed, or varying 5 per cent<br>from New York buying rate, based<br>on latter.....  | 17         | for Field Artillery instruction.....   | 70              |
| method of determining New York<br>buying rate.....  | 17         | <i>Fort Totten, N. Dak.,</i><br>deficiency appropriation for Indian school<br>at.....  | 45, 57          |
| <i>Foreign Dividends, Coupons, etc.,</i><br>licenses required for business of collecting.<br>punishment for collecting without, etc....   | 270<br>270 | <i>Fort Worth, Tex.,</i><br>made a subport of entry, and immediate<br>transportation delivery privileges<br>extended to.....   | 64              |
| <i>Foreign Financial Operations (see Federal<br/>Reserve Act Amendments).</i>   |            | <i>Fort Worth, Tex., Star-Telegram,</i><br>deficiency appropriation for advertising....  | 45              |
| <i>Foreign Governments,</i><br>deficiency appropriation for expenses of<br>office of Secretary of the Treasury,<br>1922, under Liberty and Victory<br>Loan Acts, as to loans and credits to<br>for representing interests of, War with<br>Germany, etc..... | 198        | <i>Fortifications,</i><br>deficiency appropriation for armament...<br>for electrical and sound ranging equip-<br>ment.....     | 196<br>196      |
| surplus Army foodstuffs, may be sold to<br>friendly.....  | 68         | for proving ground facilities.....   | 197             |
| <i>Foreign Mails, Postal Service,</i><br>deficiency appropriation for censorship of.....  | 55         | balance for barracks and quarters, etc.,<br>Philippine Islands, 1921, continued<br>for fiscal year 1922.....                   | 39              |
| <i>Foreign Nations,</i><br>invited to participate in exposition at<br>Portland, Oreg., in 1925.....   | 158        | <i>Fourth Class Postmasters,</i><br>minimum pay of, modified.....  | 144             |
| <i>Foreign Passage Tickets,</i><br>stamp tax on; Canada and Mexico ex-<br>cepted.....   | 305        | <i>Frankhauser, William H., late a Representa-<br/>tive in Congress,</i><br>deficiency appropriation for pay to widow.....     | 49              |
| costing less than \$10, exempt.....   | 306        | <i>Fraternal, etc., Organizations,</i><br>exempt from income tax.....  | 253             |
| <i>Forest Fires,</i><br>deficiency appropriation for fighting, etc..<br><i>Forest Roads (see Federal Highway Act).</i>  | 46         | <i>Frauds against the Government,</i><br>limitation for prosecutions for, extended to<br>six years.....                        | 220             |
| <i>Forest Service,</i><br>deficiency appropriation for fighting forest<br>fires.....  | 46         | applicable to cases where existing statute<br>of limitations has not fully run.....  | 220             |
| for Olympic National Forest, Wash.....  | 46         | excluding acts, etc., already barred<br>under existing laws.....   | 220             |
| for general expenses.....   | 54, 198    | <i>Freight, Navy and Navy Department,</i><br>appropriation for.....  | 133             |
| grazing fees payment for 1921 extended....  | 186        | deficiency appropriation for.....  | 43, 53, 56, 197 |
| paid prior to December 31, 1921, con-<br>sidered as for fiscal year 1921.....   | 220        | <i>Fresno, Calif.,</i><br>deficiency appropriation for purchase of<br>experiment vineyard near.....                            | 46              |
| <i>Forestral Products, United States,</i><br>exhibit of, to be prepared for Rio de Janeiro,<br>Brazil, Exposition.....  | 210        | <i>Fruit Growers' Associations,</i><br>exempt from income tax.....   | 253             |
| report to accompany.....  | 210        | <i>Fruit Juices, Unfermented,</i><br>internal revenue tax on, sold by producer,<br>etc., for beverages.....                    | 285             |
| <i>Fort Belknap Agency, Mont.,</i><br>deficiency appropriation for support, etc.,<br>of Indians at.....   | 57         | <i>Fuel Administration,</i><br>deficiency appropriation for salaries and<br>expenses.....                                      | 198             |
|   |            | for national security and defense.....   | 198             |

## xxiii

|  |             |  |       |
|--|-------------|--|-------|
| <i>Fuel, Army,</i>   | Page.       | <i>Future Trading Act—Continued.</i>   | Page. |
| contracts may be made for, of sufficient quantities for one year, without regard to current fiscal year..... | 78          | boards of trade, suspension, etc; records, etc., to be certified to court; acceptance thereof as evidence.....   | 189   |
| payment for, from funds of year when delivered.....  | 78          | proceedings to be expedited.....   | 189   |
| <i>Fuel Depots, Naval,</i>   |             | authority of court to set aside order, etc.; limitation.....   | 189   |
| appropriation for fuel storage, etc.....   | 130         | appeal to commission if application refused.....   | 189   |
| for maintenance, etc.....  | 133         | further appeal from decision of commission; finality thereof.....  | 189   |
| <i>Fuel, Marine Corps,</i>   |             | complaints to be served on persons violating provisions hereof.....  | 189   |
| appropriation for.....   | 137         | manipulating market prices of grain..  | 189   |
| <i>Fuel, Navy,</i>   |             | hearings before commission or referees..   | 189   |
| appropriation for, and transportation.....   | 133         | jurisdiction to procure testimony, etc..   | 189   |
| for coal mining, etc., in Alaska.....  | 133         | order to be issued barring offender from all contract market privileges.....   | 190   |
| deficiency appropriation for, and transportation.....  | 43, 56, 197 | appeal to circuit court of appeals to set aside.....   | 190   |
| <i>Fuels,</i>  |             | procedure; jurisdiction of court.....  | 190   |
| deficiency appropriation for testing.....  | 197         | judgments of court final, subject to review by Supreme Court upon certiorari.....  | 190   |
| <i>Fuels, Mineral,</i>   |             | regulations for collection of tax discretionary.....   | 190   |
| deficiency appropriation for testing.....  | 57          | publication of.....  | 190   |
| <i>Furniture, Public Buildings,</i>  |             | boards of trade may apply for vacation of designation as contract markets..  | 190   |
| deficiency appropriation for, repairs, etc..   | 38, 51, 196 | issue of order by Secretary; notification to other contract markets.....   | 190   |
| <i>Future Trading Act,</i>   |             | reinstatement permitted on application..   | 190   |
| title of Act.....  | 187         | investigation by Secretary of operations of boards of trade, authorized.....   | 190   |
| definition of terms used, etc.; "contract of sale".....  | 187         | publication of results.....  | 190   |
| "person".....  | 187         | individual transactions, trade secrets, or names of customers, excluded....  | 190   |
| "grain".....   | 187         | violations by any board or person to be reported.....  | 190   |
| "future delivery".....   | 187         | facts of actual transactions may be included.....  | 190   |
| "board of trade".....  | 187         | investigations by Secretary, etc., of market conditions of grain, grain products, etc.....   | 190   |
| liability of agents extended to principals..   | 187         | including supply and demand, cost to consumer, handling, etc.....  | 190   |
| additional tax per bushel on options, etc., for purchase or sale of grain.....                               | 187         | compilation and dissemination to producers, consumers, and distributors, of information respecting grain markets including supply, demand, prices, etc., affecting markets in this or other countries..... | 191   |
| upon contracts for future delivery of grain.....   | 187         | punitive tax for designated violations of Act by any person.....   | 191   |
| tax exceptions; if seller is owner or grower thereof.....  | 187         | punishment on conviction thereof.....  | 191   |
| if either party owner, etc., of land on which grown.....   | 187         | invalidity of any provision not to affect remainder of Act.....  | 191   |
| if an association of owners or growers, etc.....   | 187         | penalties not enforceable for violations occurring within four months.....   | 191   |
| contracts made through designated boards of trade.....   | 187         | cooperation with Government, State, etc., agencies, authorized.....  | 191   |
| memorandum requirements.....   | 187         | authority for employees, supplies, expenses, etc., conferred upon the Secretary.....   | 191   |
| preservation for inspection, etc.....  | 187         | moneys for, authorized to be appropriated.....   | 191   |
| boards of trade may be designated contract markets.....  | 188         | G.   |       |
| when located at cash grain terminal markets.....   | 188         | <i>Gallup, N. Mex.,</i>  |       |
| having official weighing and inspection service.....   | 188         | deficiency appropriation for highway from Mesa Verde Park to, Navajo Reservation.....  | 45    |
| providing for making detailed reports of transactions thereof, and members..                                 | 188         | <i>Gary, Ind.,</i>   |       |
| keeping permanent records of all cash or future transactions.....  | 188         | bridge authorized across Grand Calumet River, at.....  | 325   |
| records thereof to be open to inspection by officials.....   | 188         |  |       |
| prevents dissemination of misleading market reports to affect prices.....                                    | 188         |  |       |
| prevents manipulation of prices, etc., by operators.....   | 188         |  |       |
| admits cooperative associations to privileges.....   | 188         |  |       |
| division of earnings among, permitted....  | 188         |  |       |
| refuses privileges to persons barred by commission.....  | 188         |  |       |
| boards of trade to make application for designation as contract markets.....                                 | 188         |  |       |
| suspension or revocation by commission on noncompliance with requirements, etc.....                          | 188         |  |       |
| notice and hearing before.....   | 188         |  |       |
| decision final unless petition made to circuit court of appeals to set aside, etc.....                       | 189         |  |       |

|   |        |  |  |             |
|---|--------|--|--|-------------|
| <i>Gas, Natural,</i>                                  |        |  | <i>General Accounting Office—Continued.</i>      |             |
| deficiency appropriation for investigation            |        |  | Comptroller General to make office regu-         |             |
| for economic production, etc.....                     | 53, 57 |  | lations, etc.....                                | 25          |
| <i>Gas Troops, Army,</i>                              |        |  | for admitting, attorneys to practice             |             |
| appropriation for organizing, training, etc.          | 92     |  | therein.....                                     | 25          |
| <i>Gauges,</i>  |        |  | to investigate all matters relating to re-       |             |
| deficiency appropriation for standardizing,           |        |  | ceipt, etc., of public funds.....                | 25          |
| etc.....  | 58     |  | to make report of work of the Office to the      |             |
| <i>Gazette Publishing Company, Little Rock,</i>       |        |  | President when requested.....                    | 25          |
| <i>Ark.,</i>  |        |  | to report each session to Congress on the        |             |
| deficiency appropriation for advertising...           | 45     |  | same.....  | 25          |
| <i>General Accounting Office (see also Budget and</i> |        |  | recommending legislation to facili-              |             |
| <i>Accounting Act, 1921),</i>                         |        |  | tate prompt settlement of accounts.....          | 25          |
| created as an independent establishment.              | 23     |  | other matters as to receipt, etc., of            |             |
| under control of Comptroller General of the           |        |  | public funds.....                                | 25          |
| United States.....                                    | 23     |  | looking to greater economy and effi-             |             |
| employees of office of Comptroller of the             |        |  | ciency in public expenditures.....               | 26          |
| Treasury transferred to.....                          | 23     |  | to make investigations when ordered by           |             |
| books, records, etc., also.....                       | 23     |  | Congress or committees thereof.....              | 26          |
| seal to be adopted for.....                           | 23     |  | office assistants to furnish information         |             |
| Comptroller General, and Assistant to be              |        |  | as requested.....                                | 26          |
| appointed for, salaries.....                          | 23     |  | to submit reports on adequacy of depart-         |             |
| duties of Assistant.....                              | 23     |  | mental administration of accounts..              | 26          |
| term of office 15 years; Comptroller                  |        |  | inspection of offices and accounts of            |             |
| General ineligible for reappoint-                     |        |  | fiscal officers.....                             | 26          |
| ment.....   | 23     |  | to furnish information to Budget                 |             |
| removal only for cause, by joint resolu-              |        |  | Bureau as requested.....                         | 26          |
| tion or impeachment.....                              | 24     |  | to make special reports of expendi-              |             |
| ineligible thereafter for reappointment.              | 24     |  | tures, etc., in violation of law.....            | 26          |
| retirement at age of 70.....                          | 24     |  | all departments, etc., to furnish, with in-      |             |
| powers of Comptroller of the Treasury and             |        |  | formation as to their powers, busi-              |             |
| the six Auditors transferred to.....                  | 24     |  | ness methods, etc.....                           | 26          |
| duties of Bookkeeping, etc., Division as to           |        |  | to afford officials of, access to records,       |             |
| ledger accounts of disbursing and                     |        |  | etc.; diplomatic emergencies ex-                 |             |
| collecting officers vested solely in...               | 24     |  | cepted.....                                      | 26          |
| balances certified by Comptroller General             |        |  | eligible register of accountants for, to be      |             |
| final and conclusive.....                             | 24     |  | established by Civil Service Com-                |             |
| revision of settlements made by Auditors              |        |  | mission.....                                     | 26          |
| discontinued after July 1, 1921.....                  | 24     |  | questions to be approved by Comptroller          |             |
| administrative examination of postal ac-              |        |  | General.....                                     | 26          |
| counts by Auditor for Post Office                     |        |  | appropriations for offices of Comptroller,       |             |
| Department transferred to Accounts                    |        |  | and Auditors, of the Treasury, 1922,             |             |
| Bureau, Post Office Department,                       |        |  | transferred and made available for..             | 26          |
| July 1, 1921.....                                     | 24     |  | changes in number and compensation of            |             |
| appropriations for Auditor's Office, 1922,            |        |  | transferred personnel authorized....             | 26          |
| transferred to Bureau and General                     |        |  | portion of Treasury appropriations made          |             |
| Accounting Office.....                                | 24     |  | available for salaries and expenses of,          |             |
| all public accounts to be adjusted and                |        |  | 1922.....  | 26          |
| settled by.....                                       | 24     |  | additional pay of \$240 a year allowed em-       |             |
| general departmental administration laws              |        |  | ployees of.....                                  | 27          |
| applicable to.....                                    | 24     |  | transfer of civil employees to, permitted        |             |
| legal effect of copies of records, etc., of....       | 24     |  | during fiscal year, 1922.....                    | 27          |
| settlements of accounts may be by pay-                |        |  | <i>General Land Office, Interior Department,</i> |             |
| ments through disbursing officers in-                 |        |  | deficiency appropriation for additional em-      |             |
| stead of warrants.....                                | 25     |  | ployees, 1922.....                               | 44          |
| form, procedure, etc., for fund accounting            |        |  | for library.....                                 | 53          |
| to be prescribed by Comptroller                       |        |  | <i>General Staff College, Army,</i>              |             |
| General.....  | 25     |  | appropriation for expenses.....                  | 69          |
| for administrative examination of ac-                 |        |  | for operating force.....                         | 69          |
| counts and claims of fiscal officers...               | 25     |  | for clerks, messengers, etc.....                 | 75          |
| offices of the Auditors abolished July 1,             |        |  | <i>General Staff Corps, Army,</i>                |             |
| 1921.....   | 25     |  | appropriation for General Staff College....      | 69          |
| other officers, etc., made part of personnel          |        |  | for Military Intelligence Division.....          | 69          |
| of.....   | 25     |  | for military observations abroad.....            | 69          |
| books, records, etc., transferred there-              |        |  | deficiency appropriation for military in-        |             |
| with.....   | 25     |  | telligence division.....                         | 52, 56, 196 |
| temporary rooms provided for.....                     | 25     |  | <i>General Staff School, Army,</i>               |             |
| Comptroller General to appoint, etc., em-             |        |  | appropriation for instruction expenses,          |             |
| ployees of.....                                       | 25     |  | Fort Leavenworth, Kans.....                      | 69          |
| application of civil service laws there-              |        |  | <i>Genoa, Nebr.,</i>                             |             |
| to; pay restrictions.....                             | 25     |  | deficiency appropriation for Indian school       |             |
| assignment of duties; force, given to                 |        |  | .....  | 45, 57, 197 |
| official acts of.....                                 | 25     |  |  |             |

# INDEX

XXXV

|   |        |
|---|--------|
| <i>Geological Survey, Interior Department,</i><br>deficiency appropriation for expenses. 53, 57, 197<br>to assist in preparing maps for Army use;<br>payment.....     | 89     |
| <i>German Government, Imperial (see World War).</i>   |        |
| <i>Germany (see also World War),</i><br>declaration of end of war with.....   | 106    |
| <i>Giant Portland Cement Company,</i><br>deficiency appropriation for.....  | 43     |
| <i>Gifts in Contemplation of Death,</i><br>included in property subject to estate tax;<br>extent of liability.....  | 278    |
| <i>Girls' and Boys' Canning Clubs,</i><br>exempt from tax on child labor employ-<br>ment.....   | 306    |
| <i>Glacier National Park, Mont.,</i><br>deficiency appropriation for.....   | 53     |
| <i>Goff, Guy D.,</i><br>unexpended balance available for salary of,<br>as unconfirmed member of Shipping<br>Board.....  | 35     |
| additional appropriation for.....   | 35     |
| <i>Gold Mining,</i><br>corporations engaged in, exempt from war<br>and excess-profits tax.....  | 273    |
| <i>Gonzaga College, D. C.,</i><br>charter amended by extending purposes<br>and not limiting property holdings..   | 324    |
| <i>Government Accounts (see Budget and Ac-<br/>counting Act, 1921).</i>   |        |
| <i>Government Contracts,</i><br>meaning of, as used in Revenue Act of 1921.<br>made between April 6, 1917, and Novem-<br>ber 11, 1918.....                            | 227    |
| war and excess profits tax from, during the<br>war.....   | 272    |
| <i>Government Printing Office,</i><br>deficiency appropriations for reimbursing,<br>for heating, etc., Washington, D. C.,<br>post office building.....                | 42     |
| for holidays for employees.....   | 49     |
| for Samuel Robinson, William Madden,<br>Joseph De Fontes, and Charles C.<br>Allen.....  | 50     |
| for public printing and binding.....  | 50     |
| for Superintendent of Documents.....  | 50     |
| Army motor passenger vehicle transferred<br>to.....   | 50     |
| discontinuance of printing annual, etc.,<br>reports by departments, etc., au-<br>thorized.....  | 64     |
| originals to be kept on file for public<br>inspection.....  | 64     |
| <i>Grain (see also Future Trading Act),</i><br>provisions governing trading in designated,<br>for future delivery.....  | 187    |
| <i>Grain Standards Act, United States,</i><br>deficiency appropriation for enforcing....  | 54, 58 |
| <i>Grand Army of the Republic,</i><br>loan of Army cots for encampment of,<br>Indianapolis, Ind.....  | 203    |
| <i>Grand Calumet River,</i><br>bridge authorized across, Gary, Ind.....   | 325    |
| <i>Grand River, Colo. and Utah,</i><br>name of, changed to Colorado River.....  | 146    |
| rights of States, counties, etc., not<br>affected.....  | 146    |
| <i>Grazing Fees, National Forests,</i><br>time for payment of, in 1921, extended....<br>paid prior to December 31, 1921, con-<br>sidered as for fiscal year 1921..... | 186    |
|   | 220    |

|  |        |
|--|--------|
| <i>Great Britain,</i><br>and Japan invited to a conference for mu-<br>tual reduction of naval expenditures,<br>etc., during the next five years..... | 141    |
| <i>Great Lakes Naval Training Station, Ill.,</i><br>appropriation for maintenance.....   | 126    |
| for payment of land, damages to prop-<br>erty, etc.....  | 126    |
| disposal of land, etc., no longer needed for<br>naval purposes.....  | 126    |
| <i>Great Peedee River,</i><br>bridge authorized across Mars Bluff Ferry,<br>S. C.....  | 322    |
| <i>Greenville, Calif.,</i><br>deficiency appropriation for Indian School<br>at.....  | 45, 53 |
| <i>Grigsby's Ferry, Miss.,</i><br>bridge authorized across Pearl River,<br>between Meeks Ferry and.....  | 219    |
| <i>Ground Beans,</i><br>temporary duty on.....   | 9      |
| <i>Guam,</i><br>appropriation for transferring lepers, etc.,<br>from, to Cullion, P. I.....  | 124    |
| <i>Guantanamo Bay Naval Station, Cuba,</i><br>appropriation for public works.....  | 129    |
| <i>Gunnery and Engineering Exercises, Navy.</i><br>appropriation for prizes, trophies, ranges,<br>etc.....   | 125    |
| deficiency appropriation for.....  | 52     |
| <b>H.</b>  |        |
| <i>Hair, Camel, Angora Goat, and Alpaca (see<br/>Wool).</i>  |        |
| <i>Halifax County, N. C.,</i><br>time extended for bridging Roanoke River<br>by.....   | 170    |
| <i>Hampton Roads, Va.,</i><br>appropriation for naval air station, im-<br>provements.....  | 123    |
| for training station, naval operating base.....  | 126    |
| for naval operating base, public works ..  | 130    |
| disposal of land, etc., East Camp, no longer<br>needed for naval purposes.....   | 126    |
| <i>Haskell Institute, Lawrence, Kans.,</i><br>deficiency appropriation for Indian school.  | 57     |
| <i>Hat Boxes, Travelers',</i><br>excise tax on, sold above specified price by<br>manufacturer.....   | 293    |
| <i>Hawaii,</i><br>deficiency appropriation for relief of ship-<br>wrecked American seamen in.....  | 35     |
| acts of legislature granting franchises for<br>designated public utilities, ratified<br>and approved.....  | 185    |
| amendments to Organic Act.....   | 115    |
| <i>Hawaiian Homes Commission Act provi-<br/>sions.....</i>   | 108    |
| issue of bonds authorized for water devel-<br>opment, etc., of home lands.....   | 114    |
| prohibition provisions applicable to.....  | 223    |
| enforcement by Territorial courts.....   | 223    |
| <i>Hawaiian Homes Commission Act,</i><br>title of Act.....   | 108    |
| meaning of terms used.....   | 108    |
| commission established; composition of....   | 109    |
| governor to be chairman; terms, etc., of<br>members.....   | 109    |
| public lands designated as available lands ..  | 109    |
| lands excluded.....  | 109    |
| areas and locations on specified islands...  | 109    |

| <i>Hawaiian Homes Commission Act—Contd.</i>   | Page.      | <i>Hawaiian Homes Commission Act—Contd.</i>  | Page. |
|---|------------|--|-------|
| available lands made home lands under control of commission.....                            | 110        | home land tracts to be furnished free water by commission, from Government owned water; limitations..... | 114   |
| limitation for first five years.....  | 110        | by contracts for privately owned, etc., surplus water.....   | 115   |
| other lands subject to further authorization.....   | 110        | from specified Government owned water, etc., applicable to all future licenses for.....                  | 115   |
| under lease, only after expiration or withdrawal thereof.....                               | 110        | use of ditches and pipe lines, included..  | 115   |
| notice to be given of selections of, out of larger areas.....                               | 110        | authority of commission for regulations, expenses, etc.....  | 115   |
| limitation of sale or lease of.....   | 110        | expenses payable from home loan fund..   | 115   |
| authority of other Territorial officials over home lands restricted.....                    | 110        | reports to legislature biennially.....   | 115   |
| tracts of home lands may be leased to native Hawaiians.....                                 | 110        | bond of executive officer and secretary...   | 115   |
| acreage limits; title retained.....   | 110        | right to alter, etc., reserved.....  | 115   |
| applications for, to the commission.....  | 111        | amendments to Hawaiian Organic Act....   | 115   |
| conditions of leases; to native Hawaiians...  | 111        | <i>Hawaiian Organic Act Amendments,</i>  |       |
| payment of rent; for 99 years.....  | 111        | pay of members of the legislature increased  | 115   |
| occupation and cultivation for one year..   | 111        | extra session prohibition.....   | 116   |
| yearly thereafter.....  | 111        | restriction on corporation real estate holdings repealed.....  | 116   |
| transfers restricted, etc.....  | 111        | maximum for Territorial indebtedness increased.....  | 116   |
| upon death of lessee.....   | 111        | appointment of governor; term.....   | 116   |
| payment of taxes; lien for.....   | 111        | age, citizenship, and residence requirements.....  | 116   |
| other conditions; tax exemption for five years.....   | 111        | pardon power, etc.....   | 116   |
| successors subrogated to conditions of original lessees.....                                | 111        | public lands amendments.....   | 116   |
| by inheritance.....   | 111        | meaning of terms; "commissioner".....  | 116   |
| hearings on violations of conditions....  | 111        | "land board".....  | 116   |
| forfeiture if proven.....   | 112        | "public lands;" lands excluded.....  | 116   |
| lands revested in commission.....   | 112        | "person".....  | 116   |
| community pastures to be provided in each district from home lands.....                     | 112        | terms used on Hawaiian laws to have same meaning herein.....   | 116   |
| lands not leased may be returned to public lands.....                                       | 112        | continuance of Hawaiian land laws, etc....   | 117   |
| disposal of, under Territorial laws.....  | 112        | former grants, franchises, etc., confirmed.....  | 117   |
| subject to termination of, and return to status of home lands.....                          | 112        | substitution of definitions.....   | 117   |
| <i>Hawaiian home loan fund created.....</i>   | <i>112</i> | leases of agricultural, etc., lands limited to 15 years.....   | 117   |
| moneys to be covered into; maximum amount.....  | 112        | disposal of, by auction.....   | 117   |
| loans from, authorized; to erect buildings, purchase livestock, etc.....                    | 112        | may be withdrawn for homestead or public purposes.....   | 117   |
| amount limited; amortization for repayment.....   | 112        | sugar cane lands not subject thereto...  | 117   |
| conditions if borrowers' interest transferred.....  | 113        | use of receipts.....   | 117   |
| restricted to purposes for which made.  | 113        | land certificates, leases, or agreements forbidden, if prior holding exceeds ten acres.....              | 117   |
| other stipulated conditions.....  | 113        | any one with more than 80 acres of other land.....   | 117   |
| lease conditions to be complied with..  | 113        | unless declaration of citizenship intention has been made.....   | 117   |
| property to be insured.....   | 113        | revoked if not a citizen in five years..   | 117   |
| hearings on violations of loans.....  | 113        | transfers of public lands to corporations or aliens, restricted.....                                     | 117   |
| immediate payment required if proven.   | 113        | of homesteads to any other person, etc..   | 118   |
| lien upon property; enforcement.....  | 113        | by inheritance, etc., not included.....  | 118   |
| lands to revest in commission.....  | 113        | preference right to purchase lands for homes, etc., by resident citizens....                             | 118   |
| borrower to be paid difference between value of improvements, etc., and amount of loan..... | 113        | in lieu of reserved lands.....   | 118   |
| ejectment procedure on noncompliance by lessee or borrower with conditions..                | 113        | original lessees of public lands, excluded.....  | 118   |
| lease, etc., of forfeited tracts.....   | 114        | limitation on area or value of sales for other than homesteads.....                                      | 118   |
| lessees of home lands not eligible for loans under Territorial Act.....                     | 114        | leases of agricultural, pastoral, or waste lands without approval of board limited.....                  | 118   |
| agricultural experts may be employed....  | 114        | board of public lands constituted.....   | 118   |
| expenses; duties defined.....   | 114        | sales of residence lots, lands for public uses, etc., authorized on approval of.                         | 118   |
| water, etc., projects for home lands.....   | 114        | exchanges of public lands hereafter; restricted.....   | 119   |
| appropriations for, authorized.....   | 114        |  |       |
| issue of bonds for necessary funds.....   | 114        |  |       |
| meaning of "water license"; "surplus water".....  | 114        |  |       |
| home land tracts to be furnished free water by water licensees.....                         | 114        |  |       |

|  | Page.       |   | Page. |
|--|-------------|---|-------|
| <i>Hawaiian Organic Act Amendments—Contd.</i>      |             | <i>Holiday, 1921,</i>                                 |       |
| surveys to be made of lands for homestead          |             | directed for Armistice Day, November 11,              |       |
| entries.....                                       | 119         | 1921, when an unknown American                        |       |
| area allowed; classification.....                  | 119         | soldier is buried at Arlington, in re-                |       |
| expenses payable from sales of public              |             | spect for memory of lives lost in the                 |       |
| lands, etc.....                                    | 119         | World War.....  | 211   |
| lease holders may continue in possession           |             | <i>Home for Aged and Infirm, D. C.,</i>               |       |
| until lands actually taken by home-                |             | deficiency appropriation for maintenance..            | 34    |
| steader.....                                       | 119         | <i>Honolulu, Hawaii,</i>                              |       |
| citizenship and residence required of offi-        |             | deficiency appropriation for public build-            |       |
| cers.....  | 119         | ing.....  | 38    |
| Federal district court established in.....         | 119         | <i>Horses, Army,</i>                                  |       |
| two judges for; salaries; division of cases.       | 119         | appropriation for purchase of.....                    | 82    |
| judges, district attorney, and marshal to          |             | allowance for breeding of riding.....                 | 82    |
| be appointed by the President.....                 | 120         | limit; contracts; purchases at posts...               | 82    |
| citizenship and residence require-                 |             | standard required.....                                | 82    |
| ments; terms of office.....                        | 120         | no polo ponies except for Military                    |       |
| jurisdiction; powers similar to Federal            |             | Academy.....  | 82    |
| court officials.....                               | 120         | donations accepted of breeding ani-                   |       |
| writs of error and appeals allowed to cir-         |             | mals, prizes, etc.....                                | 83    |
| cuit court of appeals of the ninth                 |             | report on means, etc., for encouraging                |       |
| circuit.....                                       | 120         | breeding of riding horses.....                        | 83    |
| to Supreme Court of the United States.             | 120         | deficiency appropriation for.....                     | 196   |
| juries and jury trials provisions.....             | 120         | sale directed of, not in actual use.....              | 78    |
| terms.....   | 120         | <i>Horticultural Board (see Federal Horticultural</i> |       |
| appointment of clerk and reporter by;              |             | <i>Board).</i>  |       |
| salaries.....                                      | 120         | <i>Horticultural Organisations,</i>                   |       |
| two deputies by the clerk.....                     | 120         | exempt from income tax.....                           | 253   |
| appeals from Territorial supreme court             |             | <i>Hospital Facilities for Ex-Soldiers, etc.,</i>     |       |
| omitted.....                                       | 120         | limitation on amount for remodeling exist-            |       |
| salaries of Territorial officers paid by the       |             | ing plants for, repealed.....                         | 37    |
| United States.....                                 | 120         | transferred to control, etc., of Veterans'            |       |
| private secretary allowed governor.....            | 120         | Bureau.....   | 150   |
| mechanics or laborers on public works to be        |             | <i>Hospital Stewards, Army,</i>                       |       |
| citizens or eligibles.....                         | 120         | appropriation for quarters for.....                   | 84    |
| board of harbor commissioners; powers and          |             | <i>Hospitals, Army,</i>                               |       |
| duties defined.....                                | 121         | appropriation for construction and repair             |       |
| expenditures for harbor improvements,              |             | of post and general.....                              | 84    |
| etc., under supervision of.....                    | 121         | alterations, additions, temporary build-              |       |
| execution of contracts, etc., by.....              | 121         | ings, etc.....  | 84    |
| to report official acts to governor.....           | 121         | deficiency appropriation for construction,            |       |
| title of Act.....                                  | 121         | etc.....  | 52    |
| inconsistent laws of United States and the         |             | <i>Hospitals, Naval,</i>                              |       |
| Territory, repealed.....                           | 121         | appropriation for care of patients.....               | 131   |
| invalidity of any provision not to affect          |             | <i>Hospitals, State, Municipal, or Private,</i>       |       |
| remainder of Act.....                              | 121         | contracts authorized with, for services to            |       |
| <i>Hawes, Honorable Harry B.,</i>                  |             | war risk beneficiaries, etc.....                      | 150   |
| deficiency appropriation for contested             |             | <i>Hot Springs Army and Navy Hospital, Ark.,</i>      |       |
| election expenses.....                             | 195         | appropriation for medical supplies.....               | 87    |
| <i>Haynes, H. H.,</i>                              |             | <i>House of Representatives,</i>                      |       |
| may build dike across Mud Slough, Isth-            |             | appropriation for mileage.....                        | 2     |
| mus Inlet, Oreg.....                               | 65          | for stationery.....                                   | 2     |
| <i>Hayward, Wis.,</i>                              |             | for pages.....  | 2     |
| deficiency appropriation for Indian school.        | 45, 58      | for increased pay to telephone pages....              | 2     |
| <i>Headstones for Soldiers' Graves,</i>            |             | for designated special employees.....                 | 2     |
| deficiency appropriation for.....                  | 52; 56, 197 | for special messenger.....                            | 2     |
| <i>Health Department, D. C.,</i>                   |             | for contested election expenses, James                |       |
| deficiency appropriation for preventing            |             | Wickersham.....                                       | 3     |
| spread of diseases.....                            | 31, 33      | for session employees from close of first to          |       |
| for motor vehicle for pound.....                   | 31          | beginning of second session.....                      | 325   |
| for dispensaries for tuberculosis and ve-          |             | deficiency appropriation for widow of                 |       |
| neral diseases.....                                | 31          | William H. Frankhauser.....                           | 49    |
| for chemical laboratory.....                       | 33          | for widow of Rorer A. James.....                      | 195   |
| for public crematory.....                          | 33          | for widow of William E. Mason.....                    | 195   |
| <i>Helium Gas,</i>                                 |             | for contested election expenses, Hon.                 |       |
| appropriation for production, etc., by             |             | Harry B. Hawes.....                                   | 195   |
| Army Air Service.....                              | 73          | for folding.....                                      | 49    |
| <i>Helium Plant, Naval,</i>                        |             | for assistant clerks for Appropriations               |       |
| appropriation for operating, etc.....              | 123         | Committee, 1922.....                                  | 49    |
| <i>Hendrick, J. Thilman,</i>                       |             | for police, House Office Building.....                | 49    |
| deficiency appropriation for salary, as Com-       |             | for folding materials.....                            | 49    |
| missioner District of Columbia.....                | 29          | for miscellaneous items and special and               |       |
| <i>Highways, Public (see Federal Highway Act).</i> |             | select committees.....                                | 49    |
|  |             | for furniture, etc.....                               | 49    |

| <i>House of Representatives—Continued.</i>  |                 | <i>Immigration of Aliens—Continued.</i>  |         |
|---|-----------------|--|---------|
| salaries of employees for August to be paid August 24, 1921.....  | 180             | yearly admissions limited, exceptions; tourists, and persons temporarily on business.....  | 5       |
| for November 1921, to be paid November 23.....  | 325             | under treaty agreements, etc.; barred Asiatics.....  | 5       |
| <i>House Office Building,</i>   |                 | residents for one year in designated adjacent countries, etc.....  | 5       |
| deficiency appropriation for care, etc., of grounds.....  | 44              | children, under eighteen, of American citizens.....  | 5       |
| for maintenance.....  | 49              | nationality to be determined by place of birth.....  | 5       |
| for police force, 1922.....   | 49              | statement of nationality of residents of United States in 1910, to be prepared estimate to be made for newly created countries and transferred territories. place of birth to be determined therefrom..... | 6       |
| <i>Hugh, Emil,</i>  |                 | admissions excluded after maximum of nationality have entered.....   | 6       |
| appropriation for services.....   | 94              | limitation of monthly.....   | 6       |
| <i>Humidors, Smokers'</i>   |                 | classes excepted from maximum.....   | 6       |
| excise tax on, sold by producer, etc.....   | 292             | included in percentage if admitted before maximum is reached.....  | 6       |
| <i>Hungary (see Austria-Hungary).</i>   |                 | preferences to families of United States citizens, of applicants for citizenship, and of eligibles for naturalization by war service.....  | 6       |
| <i>Hunting and Bowie Knives,</i>  |                 | rules and regulations to be prescribed.....  | 6       |
| excise tax on, sold by producer, etc.....   | 292             | statement to be published of admissibles by nationalities, for current year... for ensuing year.....   | 6       |
| <i>Hunting Garments, etc.,</i>  |                 | monthly, of admissions and admissibles.....  | 6       |
| excise tax on, sold by producer, etc.....   | 292             | weekly, after 75 per cent of maximum have been admitted.....   | 6       |
| <i>Huntington and Ohio Bridge Company,</i>  |                 | dissemination of, etc.....   | 6       |
| may bridge Ohio River, Huntington, W. Va.....   | 171             | to American diplomatic and consular officials.....   | 6       |
| <i>Huntington, Ind.,</i>  |                 | provisions hereof additional to immigration laws.....  | 7       |
| may dam Wabash River for water supply.. use for power, etc. forbidden.....  | 143             | effective date; in force until June 30, 1922.....  | 7       |
| consent to terminate if interfering with power development project.....   | 144             | limitation of admissions to June 30, 1921.. admission during June, 1921, beyond limit for nationality of persons leaving foreign port on or before June 8.....   | 7       |
| removal, etc.....   | 144             | number to be deducted from number allowed for year beginning July 1, 1921.....   | 173     |
| <i>Huntington, W. Va.,</i>  |                 | allowed of 20 per cent during July, 1921.. registration for domicil authorized of Chinese refugees from Mexico attached to punitive expedition in 1916.....  | 173     |
| bridge authorized across Ohio River at....  | 171             |  | 326     |
| <i>Hydrographic Office, Navy Department,</i>  |                 | <i>Imports of Merchandise,</i>   |         |
| deficiency appropriation for contingent expenses.....   | 197             | special dumping duty imposed on, sold at less than fair value.....   | 11      |
| <i>Hygienic Laboratory, Public Health Service,</i>  |                 | special duty imposed for six months on specified.....  | 9       |
| deficiency appropriation for maintenance..  | 55              | extended until otherwise provided by law.....  | 220     |
| <b>L</b>  |                 | <i>Income Returns,</i>   |         |
| <i>Immediate Transportation of Dutiable Goods,</i>  |                 | punishment for unauthorized publication, etc., of.....   | 311     |
| privileges of, extended to Fort Worth, Tex., delivery.....  | 64              | <i>Income Tax,</i>   |         |
| <i>Immigration Bureau, Department of Labor,</i>   |                 | deficiency appropriation for expenses collecting.....  | 51, 196 |
| deficiency appropriation for expenses, regulating immigration.....  | 48, 54, 58, 199 | <i>Income Tax Laws,</i>  |         |
| for expenses of interned aliens.....  | 54, 199         | enforceable in Virgin Islands.....   | 123     |
| <i>Immigration, Commissioner General of,</i>  |                 | proceeds to be paid into treasuries of the islands.....  | 123     |
| rules, etc., for temporary limitation of entry of aliens to be prepared by....  | 6               | <i>Income Tax, Title II, Revenue Act of 1918,</i>  |         |
| statement of number of various nationalities to be published by.....  | 6               | repealed as of January 1, 1921.....  | 320     |
| monthly, of admissions and admissibles.....   | 6               | <i>Income Tax, Title II, Revenue Act of 1921,</i>  |         |
| weekly, when 75 per cent of maximum have been admitted.....   | 6               | meaning of terms used; taxable year; fiscal year.....  | 227     |
| dissemination of, to transportation companies, etc.....   | 6               | fiduciary; withholding agent.....  | 228     |
| transmittal to Secretary of State for American representatives abroad....   | 6               |  |         |
| to issue domicil registration certificates, to Chinese refugees from Mexico attached to 1916 punitive expedition..... | 326             |  |         |
| <i>Immigration of Aliens,</i>   |                 |  |         |
| deficiency appropriation for expenses regulating.....   | 48, 54, 58, 199 |  |         |
| limitation of admissions until June 30, 1922  | 5               |  |         |
| construction of terms used; United States, alien, immigration Act, immigration laws.....                              | 5               |  |         |
| yearly admissions limited to 3 per cent of residents, in 1910, of same nationality.....                               | 5               |  |         |
| exceptions; Government officials, etc....   | 5               |  |         |
| aliens in continuous transit through... lawfully admitted aliens passing through contiguous countries in transit..... | 5               |  |         |

# INDEX.

XXXIX

| <i>Income Tax, Title II, Revenue Act of 1921—</i> | <i>Page.</i> |
|---|--------------|
| Continued.  |              |
| meaning of terms used; paid .....                 | 228          |
| personal service corporation .....                | 228          |
| excluding foreign corporations, war               |              |
| contract business, etc. ....                      | 228          |
| dividends; distributions, from earnings,          |              |
| etc., since February 28, 1913,                    |              |
| deemed .....                                      | 228          |
| personal service corporations; Decem-             |              |
| ber 31, 1917, to January 21, 1922, ex-            |              |
| cepted .....                                      | 228          |
| exemption of prior earnings, after sub-           |              |
| sequent distribution .....                        | 228          |
| allowance for loss on exempted stock              |              |
| distribution .....                                | 228          |
| application to other distributions .....          | 228          |
| stock dividends exempt, unless re-                |              |
| deemed, etc. ....                                 | 228          |
| tax distribution included in income of            |              |
| shareholders .....                                | 229          |
| period of earnings determined; not                |              |
| effective after December 31, 1920 ..              | 229          |
| gain or loss; determined on sales of prop-        |              |
| erty acquired after February 25,                  |              |
| 1913, by cost thereof .....                       | 229          |
| on inventory value .....                          | 229          |
| acquired by gift after December 31, 1920;         |              |
| before .....                                      | 229          |
| by bequest, devise, or inheritance .....          | 229          |
| acquired before March 1, 1913, if market          |              |
| price in excess of cost .....                     | 229          |
| if market price less than cost .....              | 229          |
| if market price of March 1, 1913,                 |              |
| received .....                                    | 230          |
| on exchange of property not recognized;           |              |
| exception .....                                   | 230          |
| for similar property if receiving stock           |              |
| on reorganization .....                           | 230          |
| if in control of corporation to which             |              |
| transferred .....                                 | 230          |
| construed as taking place of property             |              |
| transferred .....                                 | 230          |
| proceeds of involuntary conversions, if           |              |
| expended for identical property .....             | 230          |
| where no allowance for loss on ex-                |              |
| changed securities .....                          | 230          |
| allowance for property not realizable             |              |
| given with money, etc. ....                       | 230          |
| installment payments included .....               | 231          |
| inventories to determine income allowed;          |              |
| basis .....                                       | 231          |
| net loss; in regular business operation;          |              |
| method of determining .....                       | 231          |
| allowance to be deducted from suc-                |              |
| ceeding taxable years .....                       | 231          |
| partnership members, estate and trust             |              |
| beneficiaries, and insurance com-                 |              |
| panies included .....                             | 231          |
| allowance for fiscal year ending in 1921.         |              |
| 231   |              |
| payment of taxes for fiscal years 1920-1921.      |              |
| 232   |              |
| credit or refund of excess payments...            |              |
| 232   |              |
| fiscal years 1921-1922 .....                      | 232          |
| personal service corporations .....               | 232          |
| proportional rates for partnerships .....         | 232          |
| tax on capital gain .....                         | 232          |
| meaning of capital gain .....                     | 232          |
| capital loss .....                                | 232          |
| capital deductions .....                          | 232          |
| capital net gain .....                            | 233          |
| ordinary net income .....                         | 233          |
| capital assets .....                              | 233          |

| <i>Income Tax, Title II, Revenue Act of 1921—</i> | <i>Page.</i> |
|---|--------------|
| Continued.  |              |
| tax on capital gain; payment in lieu of in-       |              |
| come; surtaxes .....                              | 233          |
| basis of computation .....                        | 233          |
| by partnerships; estate, or trusts .....          | 233          |
| normal rates on net incomes of individuals.       |              |
| 233   |              |
| upon first \$4,000 of citizens or residents.      |              |
| 233   |              |
| surtax in addition for calendar year 1921;        |              |
| rates .....                                       | 233          |
| for calendar year 1922; rates .....               | 235          |
| maximum from sales of mines, etc., for            |              |
| 1921; thereafter .....                            | 237          |
| income defined; basis of computing, for           |              |
| assessing tax .....                               | 237          |
| if taxpayer change accounting period...           |              |
| 237   |              |
| gross income; sources included .....              | 237          |
| salaries of the President, judicial and           |              |
| Government officers and employees.                |              |
| 238   |              |
| professions, trades, business, rents, divi-       |              |
| dends, etc. ....                                  | 238          |
| excluding income from life insurance              |              |
| policies; returns of premiums paid..              |              |
| 238   |              |
| gifts, bequests, etc. ....                        | 238          |
| interest on State, etc., obligations;             |              |
| Federal bonds, etc.; limitation .....             | 238          |
| interest of foreign Governments from              |              |
| the States securities, etc. ....                  | 238          |
| payments for personal injuries, etc. ....         | 238          |
| public utility receipts by States, etc.;          |              |
| operated under contract, etc.; re-                |              |
| striction .....                                   | 238          |
| nonresident aliens, from foreign ships;           |              |
| conditions .....                                  | 239          |
| war risk and rehabilitation allowances;           |              |
| pensions .....                                    | 239          |
| from domestic building and loan asso-             |              |
| ciations; limit .....                             | 239          |
| rentals for dwellings furnished to                |              |
| ministers .....                                   | 239          |
| shipowners' mutual associations; limit.           |              |
| 239   |              |
| nonresident aliens, from sources in the           |              |
| United States only .....                          | 239          |
| deductions allowed in computing net in-           |              |
| comes; business expenses, including               |              |
| traveling, etc. ....                              | 239          |
| interest on debts; exception .....                | 239          |
| taxes; classes and exceptions specified..         |              |
| 239   |              |
| business losses .....                             | 240          |
| losses not connected with the business;           |              |
| nonresident aliens .....                          | 240          |
| on sales of stocks, etc., if similar prop-        |              |
| erty acquired, excepted .....                     | 240          |
| casualty losses not connected with busi-          |              |
| ness, not compensated by insurance,               |              |
| etc. ....   | 240          |
| loss to be deducted from year in which            |              |
| sustained .....                                   | 240          |
| allowance from destruction of property            |              |
| acquired before March 1, 1913 .....               | 240          |
| worthless debts; if recoverable in part...        |              |
| 240   |              |
| allowance for exhaustion, etc., of busi-          |              |
| ness property; if acquired before                 |              |
| March 1, 1913 .....                               | 240          |
| amortization of cost of buildings, plants,        |              |
| vessels, etc., for prosecution of the             |              |
| war .....   | 240          |
| redetermination of tax, etc., before              |              |
| March 2, 1924; credits, etc., for over-           |              |
| payments .....                                    | 241          |
| allowance for depletion, etc., of mines,          |              |
| oil wells, timber, etc.; basis .....              | 241          |
| if acquired before March 1, 1913 .....            | 241          |



| <i>Income Tax, Title II, Revenue Act of 1921—</i>  | <i>Page.</i> | <i>Income Tax, Title II, Revenue Act of 1921—</i>   | <i>Page.</i> |
|--|--------------|---|--------------|
| Continued.   |              | Continued.  |              |
| deductions; allowance for depletion, etc., if discovered by taxpayer after March 1, 1913; limitation.....  | 241          | income of nonresident aliens, etc.; gains, etc., treated partly within and partly without; transportation and other services.....       | 245          |
| regulations, etc., to be prescribed; application to leases.....  | 241          | sales of property produced within and sold without, or produced without and sold within.....  | 245          |
| gifts to the public, charitable organizations, etc., vocational rehabilitation fund; limit.....  | 241          | gains, etc., treated as from country where sold if purchased within and sold without; or sold within and purchased without.....         | 245          |
| by nonresident aliens limited.....   | 241          | interchangeable meaning of words.....   | 245          |
| proceeds from involuntary conversion of property expended for similar property, etc.....   | 241          | returns to be filed of all income from United States sources.....   | 245          |
| application to prior Acts.....   | 242          | personal exemptions claims may be filed with withholding agent.....   | 245          |
| nonresident aliens from designated items; citizens, as to sources from possessions of the United States.....   | 242          | collection, etc., on failure.....   | 245          |
| no deductions allowed from net income; for personal, etc., expenses.....   | 242          | partnerships; tax levied only on individuals constituting.....  | 245          |
| new buildings, permanent improvements, etc.....  | 242          | computation of shares of net income of credits from personal exemptions, etc. computation of net income; gifts, etc., not deducted..... | 245          |
| restoring exhaustion, etc., of property... payments for life insurance on employees, etc., for benefit of taxpayer. from life interest, etc., acquired by gift, etc., restricted.....            | 242          | personal service corporations not subject to income tax.....  | 245          |
| credits allowed for normal tax; tax paid dividends.....  | 242          | individual stockholders of, taxed as for partnerships.....  | 245          |
| interest on Federal securities, etc.....   | 243          | accounting by distributees of amounts received; undistributed income.....   | 245          |
| personal exemption of \$1,000 for a single person.....   | 243          | provisions terminate December 31, 1921. division of tax for fiscal year ending in 1922.....   | 246          |
| \$2,500 for head of family; \$2,000 if income of husband and wife exceed \$5,000.....  | 243          | estates and trusts subject to normal and surtax on income.....  | 246          |
| additional for minors and dependents; \$400 each.....  | 243          | received during the administration.....   | 246          |
| for nonresident aliens, etc., \$1,000....  | 243          | accumulations in trust, etc., held for future distribution.....   | 246          |
| status of taxpayer; in case of death....   | 243          | periodical distribution, and under general direction.....   | 246          |
| income of nonresident aliens, etc.....   | 243          | responsibility of fiduciary for returns....   | 246          |
| items of gross income deemed from United States sources; interest on bonds, etc., of residents; exceptions. dividends from corporations; from United States sources of foreign corporations..... | 243          | computation of net income as for individuals.....   | 246          |
| personal services in the United States. rentals, royalties, etc., from property in the United States.....  | 244          | allowance for gifts, etc., without limitation.....  | 246          |
| sales of real property in the United States.....   | 244          | statements of shares of distributees.....   | 246          |
| deductions of expenses, losses, etc., from foregoing to constitute net income.....   | 244          | payment of tax by fiduciaries; deductions and credits allowed.....  | 246          |
| items treated as from sources without the United States; interests other than from United States sources.....  | 244          | on periodical distribution to beneficiaries, etc.; credits.....   | 246          |
| dividends from other than United States corporations, etc.....   | 244          | computation of, included with other income.....   | 247          |
| rentals, royalties, etc., from property without the United States.....   | 244          | allowance for distribution to beneficiaries.....  | 247          |
| sales of real property without the United States.....  | 244          | included in net income of beneficiaries.....  | 247          |
| after deduction of expenses, etc., remainder deemed net income from without the United States.....   | 244          | profit sharing trusts for employees not deducted.....   | 247          |
| apportionment of items within and without the United States.....   | 244          | corporations formed to accumulate gains, etc., to prevent surtax on stockholders.....   | 247          |
| from sources allocated to the United States.....   | 244          | tax imposed in addition to corporation tax.....   | 247          |
| from sources partly within and partly without the United States.....   | 244          | tax on individual shares of net income permitted in lieu of.....  | 247          |
| determination of income without the United States.....   | 244          | evidence of purpose, if a mere holding company, etc.....  | 248          |
|  |              | permissible accumulations.....  | 248          |
|  |              | detailed statements of gains, etc., required.....   | 248          |
|  |              | payment of tax at source of income of nonresident aliens; exception.....  | 248          |
|  |              | rate imposed.....   | 248          |
|  |              | interest to unknown owners.....   | 248          |

# INDEX.

xli

| <i>Income Tax, Title II, Revenue Act of 1921—</i> | <i>Page.</i> | <i>Income Tax, Title II, Revenue Act of 1921—</i> | <i>Page.</i> |
|---|--------------|---|--------------|
| Continued.  |              | Continued.  |              |
| payment of tax at source; by corporations         |              | corporations; organizations exempt; trust-        |              |
| guaranteeing interest free from tax...            | 248          | tees for exempted organizations.....              | 253          |
| rate, etc.....                                    | 248          | federal land banks, farm loan associa-            |              |
| interest of unknown owners.....                   | 248          | tions.....  | 253          |
| exception if citizen or nonresident               |              | personal service corporations; until              |              |
| file notice of claim for credits, etc....         | 248          | December 31, 1921.....                            | 254          |
| returns, etc., required; liability, indem-        |              | net income defined; computation on                |              |
| nification, etc.....                              | 249          | same basis as individuals.....                    | 254          |
| recipient to make returns of such in-             |              | of foreign corporations, etc., as of non-         |              |
| come.....   | 249          | resident aliens.....                              | 254          |
| if tax paid by recipient, not recover-            |              | gross income; sources as defined for indi-        |              |
| able from withholding agent.....                  | 249          | viduals.....                                      | 254          |
| credit for income, etc., taxes paid by citi-      |              | mutual marine insurance companies;                |              |
| zens to foreign country, etc.....                 | 249          | deductions.....                                   | 254          |
| by residents, to United States posses-            |              | foreign corporations, from United                 |              |
| sions.....  | 249          | States sources.....                               | 254          |
| by alien residents, to foreign country;           |              | deductions allowed in computing corpora-          |              |
| condition.....                                    | 249          | tion net incomes; business expenses.....          | 254          |
| by partners, trust beneficiaries, etc., to        |              | interest on debts; exceptions.....                | 254          |
| foreign countries.....                            | 249          | taxes; classes and exception specified...         | 254          |
| exceptions and limitations.....                   | 249          | not applicable to corporations guaran-            |              |
| redetermination of tax paid above                 |              | teeing payments at source.....                    | 254          |
| amounts claimed; refund, etc.....                 | 249          | paid on interest of stockholders.....             | 254          |
| if accrued but not paid; bond required.           |              | business losses.....                              | 255          |
| evidence of foreign income, etc., re-             |              | restriction of, on sales of stock, etc....        | 255          |
| quired.....                                       | 250          | destruction, etc., of property acquired           |              |
| allowance if returns made for fiscal year         |              | before March 1, 1913.....                         | 255          |
| ending in 1921.....                               | 250          | worthless debts.....                              | 255          |
| returns by individuals.....                       | 250          | tax paid dividends; from foreign corpo-           |              |
| by husband and wife living together..             | 250          | rations.....                                      | 255          |
| by agent, guardian, etc.....                      | 250          | allowance for exhaustion, etc., of prop-          |              |
| partnerships.....                                 | 250          | erty.....   | 255          |
| fiduciaries for specified beneficiaries....       | 250          | amortization of cost of buildings, plants,        |              |
| joint fiduciaries.....                            | 251          | vessels, etc., for prosecution of the             |              |
| for less than twelve months when ac-              |              | war.....  | 255          |
| counting basis change.....                        | 251          | redetermination of tax before March 3,            |              |
| computation for parts of a year.....              | 251          | 1924; credits for overpayments.....               | 255          |
| time for filing, of individuals, partner-         |              | allowance for depletion, etc., of mines,          |              |
| ships, and fiduciaries.....                       | 251          | oil wells, timber, etc.; basis.....               | 256          |
| by nonresident aliens.....                        | 251          | if acquired before March 1, 1913.....             | 256          |
| extensions allowed.....                           | 251          | if discovered by taxpayer before March            |              |
| to be filed with collector of district, etc.      | 252          | 1, 1913; limitation.....                          | 256          |
| increase of tax for understatement in...          | 252          | regulations, etc., to be prescribed; ap-          |              |
| appeal to Commissioner.....                       | 252          | plication to leases.....                          | 256          |
| incorporation of individuals or partner-          |              | additional to insurance companies other           |              |
| ships business.....                               | 252          | than life; limitation after December              |              |
| income of, if organized within four               |              | 31, 1921.....                                     | 256          |
| months, may be taxed as a corpora-                |              | issuing policies on weekly premium                |              |
| tion.....   | 252          | plan for life, etc.; not effective after          |              |
| no surtax on undistributed profits....            | 252          | December 31, 1921.....                            | 256          |
| distribution taxed as dividends of recip-         |              | mutual marine companies.....                      | 256          |
| ients.....  | 252          | other mutual companies, returning                 |              |
| not applicable if income less than 20 per         |              | premium deposits.....                             | 256          |
| cent of invested capital.....                     | 252          | proceeds from involuntary conversion of           |              |
| corporation excise tax for 1921 to be paid.       | 252          | property expended for similar prop-               |              |
| corporations; rate on net income for 1921;        |              | erty, etc.....                                    | 257          |
| thereafter.....                                   | 252          | applicable to prior Acts.....                     | 257          |
| organizations exempt; labor, etc.....             | 253          | foreign corporations, of designated items         |              |
| mutual savings banks.....                         | 253          | within the United States.....                     | 257          |
| fraternal beneficiary societies, etc....          | 253          | items not deductible, same as to individ-         |              |
| domestic building associations, co-               |              | uals.....   | 257          |
| operative banks.....                              | 253          | credits allowed corporations; interest on         |              |
| mutual cemetery companies; corpora-               |              | Federal securities, etc.....                      | 257          |
| tion solely for burial purposes.....              | 253          | domestic corporations, specific of \$2,000,       |              |
| community chests, religious organiza-             |              | if net income less than \$25,000.....             | 257          |
| tions, etc.....                                   | 253          | limitation if exceeding \$25,000.....             | 257          |
| business leagues.....                             | 253          | war and excess profits tax for fiscal year        |              |
| civic leagues for social welfare.....             | 253          | ending in 1921.....                               | 257          |
| pleasure clubs.....                               | 253          | ending in 1922.....                               | 257          |
| farmers' local mutual associations.....           | 253          | tax paid at source on income of foreign           |              |
| associations for marketing farm pro-              |              | corporations not in business of the               |              |
| duce, etc.....                                    | 253          | United States.....                                | 258          |
|   |              | deduction of interest free from tax....           | 258          |

| <i>Income Tax, Title II, Revenue Act of 1921—</i>  | <i>Page.</i> | <i>Income Tax, Title II, Revenue Act of 1921—</i>   | <i>Page.</i> |
|--|--------------|---|--------------|
| Continued.   |              | Continued.  |              |
| credit to domestic corporations for income,<br>etc., taxes paid abroad; limitations.                                   | 258          | insurance companies other than life or<br>mutual; computation of premiums<br>earned on insurance contracts during<br>the fiscal year. | 263          |
| redetermination, etc., of taxes paid; re-<br>fund.   | 258          | losses incurred.  | 263          |
| if accrued, but not paid; bond re-<br>quired.  | 258          | expenses incurred.  | 263          |
| evidence of foreign income, etc., re-<br>quired.   | 258          | deductions allowed; ordinary expenses.  | 263          |
| proportion allowed for fiscal year ending<br>in 1921.  | 258          | interest on debts.  | 263          |
| domestic corporation controlling a foreign,<br>deemed to have paid the foreign tax<br>on dividends received therefrom. | 259          | taxes.  | 263          |
| limitation of credit allowed.  | 259          | losses.   | 263          |
| determination of accumulated profits.  | 259          | worthless debts.  | 264          |
| accounting period for foreign corpora-<br>tion.  | 259          | tax paid dividends.   | 264          |
| corporations in United States possessions<br>deemed foreign.   | 259          | exempt interest.  | 264          |
| returns required from corporations.  | 259          | allowance for exhaustion, etc.  | 264          |
| from agents of foreign.  | 259          | specified credit of \$2,000; limitation.  | 264          |
| from receivers, trustees, etc., of; collec-<br>tion of tax.  | 259          | foreign corporations from United States<br>sources.   | 264          |
| accounting; mode for part of a year.   | 259          | duplication forbidden.  | 264          |
| statement of dividends, etc., to be ap-<br>pended.   | 260          | tax payable in installments, except pay-<br>ments at source, etc.   | 264          |
| affiliated corporation may make separate<br>or consolidated, after January 1,<br>1922.                                 | 260          | every three months.   | 264          |
| computation of proportionate assess-<br>ments upon consolidated.   | 260          | extension of first installment.   | 264          |
| meaning of.  | 260          | interest if unpaid when due.  | 264          |
| corporation in United States posses-<br>sions deemed foreign.  | 260          | whole amount if installment unpaid.   | 264          |
| consolidation of accounts if business<br>controlled by same interests.   | 260          | in a single payment optional.   | 264          |
| method of making consolidated re-<br>turns.  | 260          | examinations and returns; recomputation.  | 264          |
| time for filing; with collector of district,<br>etc.   | 260          | credit or refund if excess paid.  | 264          |
| insurance companies, tax on.   | 261          | payment of deficiency; interest.  | 265          |
| meaning of life insurance companies.   | 261          | additional tax and interest if due to<br>negligence.  | 265          |
| life insurance companies; tax on net in-<br>come of domestic.  | 261          | penalty tax in addition if returns fraud-<br>ulent, etc.  | 265          |
| foreign, from United States sources.   | 261          | full amount payable on demand.  | 265          |
| gross incomes defined.   | 261          | immediate payment, if returns made by<br>revenue official.  | 265          |
| reserve fund required by law, applied to<br>assessment insurance.  | 261          | assessment of tax to be made within 4 years<br>of filing the return.  | 265          |
| net income defined.  | 261          | within five years under former laws.  | 265          |
| exemptions; interest on State obliga-<br>tions, etc.   | 261          | extension with consent of taxpayer.   | 265          |
| allowance for reserve funds.   | 261          | time limit for bringing suits.  | 265          |
| tax paid dividends.  | 261          | early assessment of income of decedents.<br>when returns fraudulent, etc.   | 265          |
| reserve funds for deferred dividends.  | 261          | for determination, etc., of amortization<br>of war contracts, etc.; notice, etc.  | 265          |
| investment expenses; limitation.   | 262          | notice to taxpayer if deficiency, etc.,<br>found on examination, etc.   | 266          |
| real estate taxes and expenses.  | 262          | hearings, prompt action.  | 266          |
| taxes paid on interest of shareholder.   | 262          | assessment and payment after deci-<br>sion.   | 266          |
| allowance for exhaustion, etc., of prop-<br>erty.  | 262          | additional tax if not paid when due.  | 266          |
| interest on debts; exception.  | 262          | reduction on filing claim for abatement,<br>etc.  | 266          |
| specified credit of \$2,000; limitation.   | 262          | notice for time for first payment inferred.   | 266          |
| limitation on real estate deductions.  | 262          | to be mailed for subsequent install-<br>ments.  | 266          |
| net income of foreign companies from<br>business within the United States.   | 262          | time for paying deficiency may be ex-<br>tended to prevent undue hardship;<br>bond required; interest to be added.                    | 266          |
| insurance companies other than life or mu-<br>tual; tax on net income of domes-<br>tic.                                | 262          | additional penalty if not paid.   | 266          |
| foreign, from United States sources.   | 263          | immediate payment demanded if acts of<br>taxpayer prejudice collection.   | 267          |
| gross income defined.  | 263          | notice to be given; presumption of intent.<br>bond accepted if not in default; suspen-<br>sion of action.                             | 267          |
| net income defined.  | 263          | departure of citizen permitted; certifi-<br>cate of tax paid by alien required.   | 267          |
| sources of invested income.  | 263          | additional tax, etc., for violations.   | 267          |
| underwriting income defined.   | 263          | applicable to prior laws.   | 267          |
|  |              | receipts on request for other than stamp<br>taxes paid.   | 267          |
|  |              | use by debtor as evidence.  | 268          |

# INDEX.

xliii

|   |              |   |                 |
|---|--------------|---|-----------------|
| <i>Income Tax, Title II, Revenue Act of 1921—</i> | <i>Page.</i> | <i>Incorporations, D. C.</i>                      | <i>Page.</i>    |
| Continued.  |              | charter amended, Gonzaga College.....             | 324             |
| credits or refunds, if returns show payments      |              | <i>Increase of the Navy (see Naval Establish-</i> |                 |
| in excess of tax.....                             | 268          | ment).  |                 |
| time limit for making claims for.....             | 268          | <i>Indebtedness, Government Bonded, etc.,</i>     |                 |
| allowance without filing claims if exam-          |              | statement of, to be annually submitted in         |                 |
| inations show invested capital de-                |              | Budget.....                                       | 21              |
| creased.....                                      | 268          | <i>Indemnity Bonds,</i>                           |                 |
| prior claims not barred.....                      | 268          | stamp tax on.....                                 | 303             |
| penalty for not paying tax, not making re-        |              | <i>Indemnity, Lost Mail Matter,</i>               |                 |
| turns, etc.....                                   | 268          | deficiency appropriation for international.       | 55, 199         |
| willful refusal, evasion, etc., of tax provi-     |              | for domestic and international.....               | 59              |
| sions, misdemeanors.....                          | 268          | for domestic.....                                 | 199             |
| punishment for.....                               | 269          | <i>Indian Affairs (see Indian Department).</i>    |                 |
| sworn returns required by corporations, of        |              | <i>Indian Agencies, etc.,</i>                     |                 |
| dividends, names of stockholders, etc.            |              | deficiency appropriation for buildings.....       | 53, 57          |
| by brokers, of business transacted; de-           |              | authorization of expenditures for buildings       |                 |
| tails.....  | 269          | and grounds of.....                               | 209             |
| returns to be made by all persons paying          |              | <i>Indian Courts,</i>                             |                 |
| annually to others \$1,000 or more..              | 269          | authorization of expenditures for judges of.      | 209             |
| by United States officials.....                   | 269          | <i>Indian Department,</i>                         |                 |
| details required.....                             | 269          | authorization for appropriations and ex-          |                 |
| of interest on corporation bonds, regard-         |              | pensitures of, for support, civiliza-             |                 |
| less of amount.....                               | 269          | tion, and education.....                          | 208             |
| collection of foreign dividends, etc.....         | 269          | relief of distress and conservation of            |                 |
| names and addresses of recipients on              |              | health.....                                       | 208             |
| demand.....                                       | 269          | industrial assistance, administration of          |                 |
| for 1921 and each year thereafter.....            | 269          | property, etc.....                                | 209             |
| obligations of United States excepted..           | 269          | operating, etc., irrigation systems and           |                 |
| tax returns to be public records.....             | 270          | developing water supplies.....                    | 209             |
| inspection restricted.....                        | 270          | improving, etc., buildings and grounds..          | 209             |
| access of officers of States imposing in-         |              | employing designated officials, employ-           |                 |
| come tax.....                                     | 270          | ees, etc.....                                     | 209             |
| stockholders of corporations.....                 | 270          | suppressing liquor traffic, etc.....              | 209             |
| punishment for divulging information              |              | purchase of passenger vehicles.....               | 209             |
| unlawfully by.....                                | 270          | general and incidental administration             |                 |
| list of income taxpayers to be kept in office     |              | expenses.....                                     | 209             |
| of collectors.....                                | 270          | deficiency appropriation for paying claims        |                 |
| statistics of income, etc., taxes to be pub-      |              | certified by accounting officers....              | 44              |
| lished annually.....                              | 270          | for supplies.....                                 | 44, 45, 53, 197 |
| licenses required for collecting foreign          |              | for telegraphing and telephoning.....             | 45, 45,         |
| dividends, coupons, etc.....                      | 270          |   | 53, 57, 197     |
| regulations to obtain information.....            | 270          | for school, Mount Pleasant, Mich., 1919.          | 45              |
| punishment for collecting without.....            | 270          | for school, Mount Pleasant, Mich., 1920.          | 45              |
| citizens of possessions, but not residents or     |              | for school, Mount Pleasant, Mich., 1921.          | 45              |
| citizens of United States, taxed only             |              | for school, Albuquerque, N. Mex.....              | 45, 57          |
| on income from United States                      |              | for school, Phoenix, Ariz., 1919.....             | 45              |
| sources.....                                      | 270          | for school, Salem, Oreg., 1919.....               | 45              |
| computation and payment of tax.....               | 270          | for school, Tomah, Wis.....                       | 45, 58          |
| not applicable to Virgin Islands.....             | 271          | for school, Truxton Canyon, Ariz.....             | 45              |
| collections in Porto Rico and Philippines         |              | for road, Quinault Reservation, Wash..            | 45              |
| as by prior law.....                              | 271          | for suppressing contagious diseases among         |                 |
| authority of insular legislatures to amend,       |              | live stock, 1919.....                             | 45              |
| etc.....  | 271          | for support, Warm Springs Agency In-              |                 |
| income from sources within possessions of         |              | dians, Oreg.....                                  | 45              |
| the United States.....                            | 271          | for Cherokee Orphan Training School,              |                 |
| gross income of citizens or domestic cor-         |              | Okla.....   | 45, 57          |
| porations construed as from United                |              | for school, Carson City, Nev., 1920.....          | 45              |
| States sources if 80 per cent in previ-           |              | for school, Cherokee, N. C.....                   | 45, 57          |
| ous years derived therefrom.....                  | 271          | for school, Fort Totten, N. Dak., 1920...         | 45              |
| if 50 per cent of corporation income              |              | for school, Rapid City, S. Dak.....               | 45, 57          |
| derived from active business in                   |              | for school, Wahpeton, N. Dak... 45, 45, 57, 197   |                 |
| possessions.....                                  | 271          | for barns, Fort Berthold Reservation, N.          |                 |
| if 50 per cent of individual income               |              | Dak.....  | 45              |
| derived from active business in                   |              | for waterworks, Papago Indian villages,           |                 |
| possessions.....                                  | 271          | Ariz.....   | 45              |
| amounts received within and without               |              | for highway, Mesa Verde Park to Gallup,           |                 |
| the United States to be included in               |              | N. Mex.....                                       | 45              |
| gross income.....                                 | 271          | for surveying, allotting, etc., 1920.....         | 45              |
| provisions not applicable to Virgin               |              | for water supply, Papago Indian villages.         |                 |
| Islands.....                                      | 271          | Ariz., 1920.....                                  | 45              |
| Title in effect from January 1, 1921.....         | 271          | for Turtle Mountain Band of Chippewas,            |                 |
| <i>Income Taxpayers,</i>                          |              | N. Dak., 1921.....                                | 45              |
| lists of, to be prepared for each internal        |              | for school, Genoa, Nebr.....                      | 45, 57, 197     |
| revenue district, etc.....                        | 270          |   |                 |

| <i>Indian Department—Continued.</i>  |             | Page. | <i>Indian Schools,</i>   |             | Page. |
|--|-------------|-------|--|-------------|-------|
| deficiency appropriation for school, Green-ville, Calif.....                                   | 45, 53      |       | deficiency appropriation for support.....  | 53, 57      |       |
| for school, Hayward, Wis.....  | 45, 58      |       | for construction of, buildings.....  | 57          |       |
| for Modoc Point irrigation project, Klamath Reservation, Oreg., 1921.....                      | 45          |       | authorization of expenditure for buildings and grounds of.....   | 209         |       |
| for roads and bridges, Mescalero Reservation, N. Mex., 1921.....                               | 45          |       | <i>Indian Service Inspectors,</i>  |             |       |
| for roads, etc., Shoshone Reservation, Wyo.....  | 45          |       | deficiency appropriation for.....  | 197         |       |
| for water supply, Pueblo Indians, N. Mex., 1921.....   | 45          |       | <i>Indian Supplies,</i>  |             |       |
| for general expenses.....  | 53, 57      |       | deficiency appropriation for purchase and transportation, 1919.....  | 44          |       |
| for relieving distress, etc., among Indians.....   | 53, 57, 197 |       | for purchase and transportation, 1920....  | 45          |       |
| for support of schools.....  | 53, 57      |       | for telegraphing and telephoning, 1919..   | 44          |       |
| for additional support of schools.....   | 57          |       | for telegraphing and telephoning, 1920..   | 45          |       |
| for school and agency buildings....  | 53, 57, 197 |       | for purchasing and transporting.....   | 53, 197     |       |
| for timber culture, etc.....   | 53          |       | for telegraphing and telephoning... 53, 57, 197  |             |       |
| for Indian police.....   | 53          |       | <i>Indianapolis, Ind.,</i>   |             |       |
| for support, etc., of Indians, Ariz. and N. Mex.....   | 53, 57      |       | Army cots loaned for Grand Army encampment at.....   | 203         |       |
| for industry among Indians.....  | 57          |       | <i>Indians,</i>  |             |       |
| for support of Sioux Indians, different tribes.....  | 57, 197     |       | deficiency appropriation for relieving distress, etc., among.....  | 53, 57, 197 |       |
| for school, Flandreau, S. Dak.....   | 57          |       | for encouraging industry among.....  | 57, 197     |       |
| for school, Pierre, S. Dak.....  | 57          |       | <i>Industrial Alcohol,</i>   |             |       |
| for school, Kickapoo Reservation, Kans.....  | 57          |       | provisions relating to, not affected by supplement to National Prohibition Act.....                                    | 223         |       |
| for school, Lawrence, Kans.....  | 57, 197     |       | <i>Industrial Home School, D. C.,</i>  |             |       |
| for school, Pipestone, Minn.....   | 57          |       | deficiency appropriation for maintenance..   | 32          |       |
| for support of Fort Belknap Agency Indians, Mont.....  | 57          |       | <i>Industries, American,</i>   |             |       |
| for school, Santa Fe, N. Mex.....  | 57          |       | deficiency appropriation for investigating problems of new, developed during the war, 1922.....                        | 48          |       |
| for support of Fort Berthold Agency Indians, N. Dak.....                                       | 57          |       | <i>Infancy Hygiene (see Maternity and Infancy Hygiene Act),</i>  |             |       |
| for school, Bismarck, N. Dak.....  | 57          |       | <i>Infantile Paralysis,</i>  |             |       |
| for school, Fort Totten, N. Dak.....   | 57          |       | deficiency appropriation for prevention of epidemic.....   | 38          |       |
| for support, etc., Pawnees, Okla.....  | 57          |       | <i>Infantry School, Camp Benning, Ga.,</i>   |             |       |
| for school, Chilocco, Okla.....  | 57          |       | appropriation for instruction expenses.....  | 69          |       |
| for asylum for insane Indians, Canton, S. Dak.....   | 58          |       | unexpected balance of Quartermaster Corps appropriations, 1919, available during 1922, for acquiring land for.....     | 62          |       |
| for education, Sioux Nation, S. Dak....  | 58          |       | <i>Influenza,</i>  |             |       |
| for Toppenish-Simcoe irrigation system, Yakima Reservation, Wash.....                          | 58          |       | deficiency appropriation for prevention of epidemic.....   | 38          |       |
| for school, Shoshone Reservation, Wyo..  | 58          |       | <i>Information at Source,</i>  |             |       |
| for encouraging self support, etc.....   | 197         |       | returns to be made of persons making fixed payments to others of \$1,000 or more.....                                  | 269         |       |
| for inspectors.....  | 197         |       | names and addresses on demand.....   | 269         |       |
| for school, Fort Mojave, Ariz.....   | 197         |       | payments on Federal securities excepted.....   | 269         |       |
| for support, Yankton Sioux, S. Dak....   | 197         |       | <i>Injuries to District of Columbia Employees,</i>   |             |       |
| for support, Indians in Utah.....  | 197         |       | deficiency appropriation for compensation.....   | 29          |       |
| for support, Colville, etc., and Joseph's Band of Nez Perces, Wash.....                        | 197         |       | <i>Inland and Port Storage, etc., Army,</i>  |             |       |
| for support, Chippewas of Lake Superior, Wis.....  | 198         |       | deficiency appropriation for shipping facilities.....  | 196         |       |
| for irrigation, Wind River Reservation, Wyo.....   | 198         |       | <i>Insane, D. C.,</i>  |             |       |
| per capita distribution from principal funds of Chippewa Indians in Minnesota, authorized..... | 221         |       | deficiency appropriation for executing lunacy writs.....   | 32, 33      |       |
| <i>Indian Farmers,</i>   |             |       | for indigent.....  | 32, 34      |       |
| authorization of expenditures for.....   | 209         |       | <i>Inspector General's Department, Army,</i>   |             |       |
| <i>Indian Matrons,</i>   |             |       | appropriation for expert accountant.....   | 75          |       |
| authorization of expenditures for field....  | 209         |       | for mileage, expert accountant.....  | 75          |       |
| <i>Indian Police,</i>  |             |       | <i>Instruments, Mechanical, etc.,</i>  |             |       |
| deficiency appropriation for.....  | 53          |       | deficiency appropriation for cooperative standardizing, etc., of, used in industries, and by the Government, 1922..... | 48          |       |
| authorization of expenditures for.....   | 209         |       | <i>Insular Affairs Bureau, War Department,</i>   |             |       |
| <i>Indian Reservations,</i>  |             |       | appropriation for care of insane soldiers in the Philippines and Porto Rico.....                                       | 88          |       |
| deficiency appropriation for surveying and allotting.....                                      | 45          |       | <i>Insurance Companies,</i>  |             |       |
| authorization of expenditures for irrigation systems, etc., on.....                            | 209         |       | business of life insurance companies defined.....  | 261         |       |
| cooperation with States, etc., in constructing public highways within.....                     | 212         |       |  |             |       |

# INDEX.

xlv

|   | Page. | Interest,   | Page.           |
|---|-------|---|-----------------|
| <i>Insurance Companies—Continued.</i>   |       | allowed in judgments of Court of Claims and other courts, in claims for erroneous collection of taxes, etc., under Revenue Act of 1921..... | 316             |
| tax on income of life, in lieu of corporation, and capital stock, taxes.....                      | 261   | <i>Interior Department,</i>   |                 |
| domestic; foreign.....  | 261   | deficiency appropriation for Capitol, repairs, etc.....   | 44, 56          |
| source of gross income.....   | 261   | for care, etc., Capitol grounds, etc.....   | 44              |
| reserve fund required by law, of assessment insurance.....  | 261   | for General Land Office.....  | 44              |
| net income means gross income, less interest exempt from tax.....                                 | 261   | for public lands.....   | 44, 53, 197     |
| reserve fund for weekly assessment payments.....  | 261   | for Patent Office.....  | 44, 56, 197     |
| dividends from domestic and foreign corporations.....   | 261   | for Mines Bureau.....   | 44, 53, 57, 197 |
| amount reserved for deferred dividends.....   | 261   | for Indian Department.....  | 44, 57, 197     |
| investment expenses paid; limit.....  | 262   | for printing and binding for.....   | 50              |
| real estate taxes, etc., paid; on interests of a shareholder.....                                 | 262   | for contingent expenses.....  | 53, 197         |
| exhaustion, obsolescence, etc., of property.....  | 262   | for General Land Office, library.....   | 53              |
| interest on debts; exception.....   | 262   | for Education Bureau.....   | 53              |
| specific credit of \$2,000, if income less than \$25,000; limitation, if in excess.....           | 262   | for Capitol power plant.....  | 53              |
| limitation on deductions for real estate taxes.....   | 262   | for education in Alaska.....  | 53              |
| determination of income of foreign companies from United States sources.....                      | 262   | for medical relief in Alaska.....   | 53, 56          |
| tax on income of other than life, in lieu of corporation, and capital stock, taxes.....           | 262   | for Glacier National Park.....  | 53              |
| domestic; foreign.....  | 262   | for Alaska expenses.....  | 53, 197         |
| sources of gross income.....  | 263   | for Geological Survey.....  | 53, 57, 197     |
| net income.....   | 263   | for Indian Department.....  | 53              |
| investment income.....  | 263   | for expenses under Employees' Retirement Act.....   | 56              |
| underwriting income.....  | 263   | for national parks.....   | 57              |
| computation of premiums earned on insurance contracts.....  | 263   | for equipment and operation, Department office building.....  | 197             |
| losses incurred on insurance contracts.....   | 263   | for pensions.....   | 197             |
| expenses incurred.....  | 263   | authorization for designated appropriations and expenditures for the Indian Department.....   | 208             |
| deductions allowed in computing net income; business expenses.....                                | 263   | facilities, equipment, etc., of, made available for uses of Veterans' Bureau.....   | 150             |
| interest on debts; exceptions.....  | 263   | <i>Internal Revenue (see also Revenue Act of 1921),</i>   |                 |
| domestic and foreign taxes; exceptions.....   | 263   | deficiency appropriation for liberty bond for Joseph Matthews.....  | 37              |
| losses incurred.....  | 263   | for expenses enforcing National Prohibition and Narcotics Acts.....   | 37              |
| bad debts.....  | 264   | for collecting war revenue.....   | 51, 56, 196     |
| dividends from corporations; of foreign corporations from business in United States.....          | 264   | for collecting income tax.....  | 51, 196         |
| exempt interest.....  | 264   | for miscellaneous expenses.....   | 51, 196         |
| exhaustion of property.....   | 264   | for opium, etc., tax.....   | 51              |
| specific credit of \$2,000, if income less than \$25,000; limitation, if in excess.....           | 264   | for refunding, collections.....   | 51, 56, 196     |
| limitation for foreign corporations.....  | 264   | for redemption of, stamps.....  | 51, 196         |
| no duplication permitted.....   | 264   | for drawback.....   | 51, 196         |
| exempt from special excise tax on capital of.....   | 295   | for judgments against, officers.....  | 56              |
| <i>Insurance Policies, Property,</i>  |       | for refunding illegally collected, taxes.....   | 196             |
| stamp tax on, issued by foreign corporation, etc., not signed by agent in United States.....      | 306   | additional tax on contracts for future delivery of grain; exceptions.....   | 187             |
| <i>Insurance Tax, in Title V, Revenue Tax of 1918,</i>  |       | Revenue Act of 1921.....  | 227-321         |
| repealed.....   | 320   | Tax Simplification Board created to investigate and recommend administrative, etc., improvements.....                                       | 317             |
| <i>Insurance, United States Life (see War Risk Insurance Act Amendments).</i>                     |       | tobacco, etc., forfeited, etc., not to be sold if price offered less than tax due for consumption.....                                      | 205             |
| <i>Interdepartmental Social Hygiene Board,</i>  |       | destruction may be ordered.....   | 205             |
| emergency appropriation for expenses, 1922.....   | 61    | delivery, without tax payment, authorized to hospitals for military or naval forces, etc.....   | 205             |
| for assisting States in protecting military and naval forces against venereal diseases, 1922..... | 61    | <i>Internal Revenue Collectors,</i>   |                 |
| use for reformatories, etc., forbidden..  | 61    | administration of oaths by, deputies, etc., authorized.....   | 311             |
|   |       | authorized to enter another district to examine taxpayer summoned to make returns.....  | 312             |
|   |       | to cause inquiries, etc., to be made by deputies as to persons liable for taxes.....  | 311             |

|   |              |   |              |
|---|--------------|---|--------------|
| <b>Internal Revenue Collectors—Continued.</b>         | <b>Page.</b> | <b>Italian Soldier, Unknown Unidentified,</b>     | <b>Page.</b> |
| to report to district attorney in 30 days             |              | medal of honor authorized for, in Victor          |              |
| violations of internal revenue laws..                 | 311          | Emanuel National Monument,                        |              |
| unauthorized divulging of information                 |              | Rome, Italy.....                                  | 204          |
| received by, deputies, etc., unlaw-                   | 311          | <i>Itawamba County, Miss.,</i>                    |              |
| ful.....  | 311          | time extended for bridging Tombigbee              |              |
| punishment for.....                                   |              | River near Ironwood Bluff, by.....                | 324          |
| <b>Internal Revenue, Commissioner of (see also</b>    |              | <b>Ivory,</b>                                     |              |
| <b>Revenue Act of 1921),</b>                          |              | excise tax on sales of, articles, by dealer..     | 293          |
| findings of fact and decisions by, in ab-             |              |   |              |
| sence of fraud or mathematical mis-                   |              | <b>J.</b>   |              |
| take, not subject to review by any                    | 313          |   |              |
| other administrative officer.....                     |              | <i>James, Rorer A., late a Representative in</i>  |              |
| statistics of income, etc., tax laws, to be           | 270          | <i>Congress,</i>                                  |              |
| published annually by.....                            |              | deficiency appropriation for pay to widow         |              |
| <b>"International Aero Congress, Omaha, Novem-</b>    |              | of.....   | 195          |
| <b>ber 3 to 5, 1921."</b>                             |              | <b>Japan,</b>                                     |              |
| special canceling stamp authorized for                |              | and Great Britain invited to a conference         |              |
| Omaha, Nebr., post office.....                        | 207          | for mutual reduction of naval ex-                 |              |
| <b>International Exposition,</b>                      |              | pensitures, etc., during the next                 |              |
| provisions for participation in, at Rio de            | 209          | five years.....                                   | 141          |
| Janeiro, Brazil.....                                  |              | <b>Jefferson City, Mo.,</b>                       |              |
| <b>International Mercantile Company,</b>              |              | part of public building site, granted to          |              |
| deficiency appropriation for reimbursement            | 44           | Missouri for addition to State capitol            |              |
| <b>Interned Aliens,</b>                               |              | grounds.....                                      | 206          |
| deficiency appropriation for expenses of,             |              | <b>Jewelry,</b>                                   |              |
| under Immigration Bureau.....                         | 54           | excise tax on sales of, by dealer.....            | 293          |
| for expenses of, under Navy Department                | 123          | <b>Joint Committee on Reorganization,</b>         |              |
| <b>Interpreters, Diplomatic and Consular Service,</b> |              | President authorized to appoint a repre-          |              |
| deficiency appropriation for, consulates...           | 53           | sentative to cooperate with.....                  | 3            |
| <b>Interstate Commerce Commission,</b>                |              | salary, etc.....                                  | 4            |
| deficiency appropriation for Henry Jones              |              | <b>Joint Committee on the Library,</b>            |              |
| Ford, services as Commissioner.....                   | 34           | approval of, required of site and design of       |              |
| for expenses.....                                     | 54, 198      | memorial to employees of Agricul-                 |              |
| control over transmission of messages by,             |              | tural Department who died in                      |              |
| not impaired by Act as to landing of                  |              | World War, to be erected in grounds               |              |
| submarine cables.....                                 | 8            | of the Department.....                            | 170          |
| telephone companies to apply to, for con-             |              | <b>Joseph's Band of Nez Perce Indians, Wash.,</b> |              |
| solidation of their properties.....                   | 27           | deficiency appropriation for support, etc..       | 197          |
| public hearings; notice of State officials,           |              | <b>Judd and Detweiler,</b>                        |              |
| etc.....  | 27           | deficiency appropriation for.....                 | 194          |
| certificate authorizing, to issue if finding          |              | <b>Judgments,</b>                                 |              |
| favorable.....  | 27           | deficiency appropriation for paying, against      |              |
| laws opposing consolidation, not appli-               |              | District of Columbia.....                         | 33           |
| cable.....  | 27           | for paying, United States courts.....             | 50, 195      |
| State powers not restricted.....                      | 28           | for paying, Court of Claims.....                  | 51, 195      |
| <b>Interstate Quarantine Service,</b>                 |              | for paying, Court of Claims, Treasury             |              |
| deficiency appropriation for.....                     | 196          | Department.....                                   | 196          |
| <b>Intoxicating Liquors (see also National</b>        |              | <b>Judicial Code,</b>                             |              |
| <b>Prohibition Act),</b>                              |              | amended, section 1.....                           | 66, 67       |
| authorization of expenditures for prevent-            |              | section 24, paragraph 20.....                     | 311          |
| ing traffic in, etc., among Indians..                 | 209          | section 177.....                                  | 316          |
| <b>Invested Capital,</b>                              |              | <b>Judicial Officers,</b>                         |              |
| meaning of, in assessing war and excess               |              | deficiency appropriation for books for....        | 41, 193      |
| profits tax.....                                      | 273          | <b>Jurors, United States Courts,</b>              |              |
| <b>Ironton and Russell Bridge Company,</b>            |              | deficiency appropriation for fees.....            | 41, 59, 194  |
| may bridge Ohio River, Ironton, Ohio....              | 4            | <b>Justices of the Peace,</b>                     |              |
| <b>Ironton, Ohio,</b>                                 |              | deficiency appropriation for fees, acting as      |              |
| bridge authorized across Ohio River at....            | 4            | commissioners.....                                | 41           |
| <b>Ironwood Bluff, Miss.,</b>                         |              | <b>Juvenile Court, D. C.,</b>                     |              |
| time extended for bridging Tombigbee                  |              | deficiency appropriation for jurors.....          | 31, 33       |
| River at.....   | 324          | for contingent expenses.....                      | 31           |
| <b>Irrigation (see Reclamation Service).</b>          |              |   |              |
| <b>Irrigation, Indian Reservations,</b>               |              | <b>K.</b>   |              |
| deficiency appropriation for Modoc Point,             |              |   |              |
| Oreg.....   | 45           | <b>Kansas City and Memphis Railway and Bridge</b> |              |
| for Wind River, Wyo.....                              | 198          | <b>Company,</b>                                   |              |
| authorization of expenditures for extend-             |              | released from maintaining approaches to,          |              |
| ing, etc., systems of.....                            | 209          | and wagon and foot passenger bridge               |              |
| sum for diversion dam, Big Horn River in              |              | across Mississippi River at Mem-                  |              |
| Crow, Mont., immediately available.                   | 4            | phis, Tenn.....                                   | 172          |
| <b>Isthmus Inlet, Oreg.,</b>                          |              |   |              |
| dike authorized across Mud Slough on....              | 65           |   |              |

|  | Page.   |  | Page.       |
|--|---------|--|-------------|
| <i>Key West, Fla.</i> ,<br>appropriation for development of submarine base; conditioned on successful completion of breakwater.....        | 129     | <i>Leavenworth, Kans.</i> ,<br>deficiency appropriation for penitentiary, construction.....  | 194         |
| <i>Kickapoo Agency, Kans.</i> ,<br>deficiency appropriation for school.....  | 57      | for Volunteer Soldiers' home.....  | 197         |
| <i>Kingsland Bridge Company</i> ,<br>may bridge Saint Marys River, Wilds Landing Ferry, Ga. and Fla.....                                   | 204     | <i>Legations</i> ,<br>deficiency appropriation for clerks at.....  | 53          |
| <i>Kussinger, John R.</i> ,<br>appropriation for monthly payments to....   | 76      | <i>Lemons</i> ,<br>temporary duty on.....  | 10          |
| <i>Kitson County, Minn.</i> ,<br>time extended for bridging Red River of the North, Pembina, N. Dak., by Pembina County, N. Dak., and..... | 19      | <i>Lepers, etc.</i> ,<br>appropriation for care of, Islands of Guam and Cullion, etc.....  | 124         |
| <i>Klamath Indian Reservation, Oreg.</i> ,<br>deficiency appropriation for Modoc Point irrigation system.....                              | 45      | <i>Liberty Bonds (see also United States Securities)</i> ,<br>consolidation of tax exemptions growing out of end of World War.....   | 317         |
| <i>Knives, Hunting and Bowie</i> ,<br>excise tax on, sold by producer, etc.....  | 292     | <i>Library, D. C. Free</i> ,<br>deficiency appropriation for contingent expenses.....  | 33          |
| <i>Kohn, Frank D.</i> ,<br>payment to, for use of lands by Air Service.  | 73      | <i>Library of Congress</i> ,<br>deficiency appropriation for distribution of card indexes, etc.....  | 34          |
| <b>L.</b>  |         | for printing and binding for.....  | 50          |
| <i>Labor, Child (see Child Labor).</i>   |         | <i>Licenses</i> ,<br>required for business of collecting foreign coupons, etc.....   | 270         |
| <i>Labor Disputes, Conciliation of</i> ,<br>deficiency appropriation for Commissioners of.....   | 48, 54  | punishment for collecting without.....   | 270         |
| <i>Labor Organizations</i> ,<br>exempt from income tax.....  | 253     | submarine cables not to be landed or operated without, from the President...<br>if wholly in the continental United States, excepted.....                                      | 8<br>8      |
| <i>Labor Saving Devices, Postal Service</i> ,<br>deficiency appropriation for rent, purchase, etc.....                                     | 42      | <i>Life Insurance Companies (see also Insurance Companies)</i> ,<br>tax levied on income of.....   | 261         |
| <i>Lachance, Joseph E.</i> ,<br>deficiency appropriation for services as marshal New Hampshire judicial district.....                      | 41      | <i>Life Insurance, United States Government (see War Risk Insurance Act Amendments).</i>   |             |
| <i>Lafayette National Forest, Me.</i> ,<br>deficiency appropriation for.....   | 57      | <i>Lighthouse Service</i> ,<br>deficiency appropriation for general expenses.....  | 58          |
| <i>Lakehurst Naval Air Station</i> ,<br>appropriation for buildings, etc.....  | 123     | for lighthouse vessels, salaries.....  | 54          |
| <i>Lamb</i> ,<br>temporary duty on.....  | 10      | <i>Lighthouse Vessels</i> ,<br>deficiency appropriation for salaries, officers, etc.....   | 54          |
| <i>Lamps and Lamp Shades</i> ,<br>excise tax on, sold above specified price, use.....  | 293     | <i>Lighthouses Bureau, Department of Commerce</i> ,<br>deficiency appropriation for general expenses.....  | 54, 58, 199 |
| <i>Land Banks (see Federal Farm Loan Act Amendment).</i>   |         | <i>Lighting Fixtures, Portable</i> ,<br>excise tax on, sold above specified price..  | 393         |
| <i>Lands for Naval Purposes</i> ,<br>disposal of, no longer needed; Navy Mine Depot, Yorktown, Va.....                                     | 126     | <i>Limitation of Armament, Conference on</i> ,<br>deficiency appropriation for expenses.....   | 192         |
| Great Lakes Training Station.....  | 126     | <i>Limitations in Internal Revenue Suits, etc.</i> ,<br>suits for recovery of erroneous collection of taxes, etc., not allowed until claim therefor filed with Commissioner... | 315         |
| East Camp, Hampton, Roads, Va.....   | 126     | not to begin until six months after filing.<br>nor after five years from date of payment.....  | 315<br>315  |
| restoration to owners, if not yet paid for..   | 126     | prior suits not affected.....  | 315         |
| ascertainment, etc., of compensation for use and occupancy.....  | 126     | former limitation periods repealed.....  | 315         |
| sale of improvements, etc.....   | 126     | suits for collection of taxes not to begin after expiration of five years from time when due.....  | 315         |
| conveyancing authorized.....   | 126     | except in case of fraud.....   | 315         |
| disposal of receipts.....  | 126     | not applicable to income taxes, and pending proceedings.....   | 315         |
| <i>Lands in Severalty to Indians</i> ,<br>deficiency appropriation for surveying and allotting.....  | 45      | prosecutions for violations, to be instituted within three years after offense committed.....  | 315         |
| <i>Lawrence, Kans.</i> ,<br>deficiency appropriation for Haskell Institute Indian School.....  | 57, 197 | absence from district not included in time.....  | 315         |
| <i>Lazear, Mabel H. (widow)</i> ,<br>appropriation for monthly payments to...  | 76      | not applicable to prior offenses.....  | 315         |
| <i>Leaf Tobacco Dealers</i> ,<br>provisions relating to, in Revenue Act....  | 288     | extension in cases of complaints before commissioners.....   | 315         |
| <i>Leary Construction Company, George</i> ,<br>deficiency appropriation for.....   | 43      |  |             |



| <i>Limitations in Internal Revenue Suits, etc.—</i>   | <i>Page.</i> | <i>Mail and Files Division, Treasury Department,</i>                                   | <i>Page.</i> |
|---|--------------|--|--------------|
| Continued.  |              | emergency appropriation for, additional employees, 1922.....                           | 61           |
| prosecutions; offenses by Government officers excepted.....   | 315          | <i>Mail Bags, etc., Postal Service,</i>  |              |
| prior proceedings, etc., not affected....   | 315          | deficiency appropriation for freight on....  | 55           |
| <i>Liquor Dealers,</i>  |              | <i>Mail Transportation,</i>  |              |
| additional special tax on business of, where forbidden by State, etc., laws.....  | 296          | deficiency appropriation for railroad routes.....                                      | 55, 59, 199  |
| no immunity from penalty, etc.....  | 296          | for star routes.....   | 55, 59, 199  |
| <i>Liquor Traffic,</i>  |              | for electric and cable car service.....  | 199          |
| authorization of expenditures for preventing, etc., among Indians.....  | 209          | for rural delivery.....  | 199          |
| <i>Literary Societies,</i>  |              | <i>Maize,</i>  |              |
| exempt from income tax.....   | 253          | temporary duty on.....   | 9            |
| <i>Live Stock (see also Packers and Stockyards Act),</i>  |              | <i>Manufacturing Establishments,</i>   |              |
| deficiency appropriation for suppressing contagious diseases among Indians..  | 45           | excise tax on products of, using prohibited child labor.....                           | 306          |
| for experiments, etc., in production, etc.  | 58           | <i>Maps, Military,</i>   |              |
| advances authorized by War Finance Corporation to banks, etc., making advances for.....   | 182          | appropriation for preparation, etc., topographic.....                                  | 89           |
| purchase allowed by War Finance Corporation of commercial paper of banks, etc., secured by.....                                     | 182          | assistance of Geological, and Coast and Geodetic Surveys, etc.....                     | 89           |
| cattle, sheep, swine, horses, mules, and goats, classed as.....   | 160          | <i>Mare Island, Calif.,</i>  |              |
| on free list, imported for breeding purposes.   | 10           | appropriation for navy yard, public works.   | 129          |
| <i>Liveries and Livery Boots and Hats,</i>  |              | for naval ammunition depot.....  | 130          |
| excise tax on, sold by producer, etc.....   | 292          | <i>Marine Corps,</i>   |              |
| <i>Loan Associations, Mutual Building and,</i>  |              | appropriation for officers, active and reserve list.....                               | 136          |
| exempt from income tax.....   | 253          | for pay of officers, retired list.....   | 136          |
| <i>Loans, etc., to Foreign Governments,</i>   |              | for enlisted men, etc.....   | 136          |
| deficiency appropriation for expenses of office of Secretary of the Treasury, 1922, under Liberty and Victory Loan Acts, as to..... | 36           | for retired enlisted men.....  | 136          |
| <i>Lockwood, Elisa F.,</i>  |              | for undrawn clothing.....  | 136          |
| deficiency appropriation for paying judgment of South Carolina eastern district court to.....                                       | 51           | for mileage to officers without troops....   | 136          |
| <i>Lonoke, Ark., Chamber of Commerce,</i>   |              | for commutation of quarters, officers, etc.  | 136          |
| lease of ground from, for aeronautical purposes, ratified, etc.....   | 73           | for pay of civil force.....  | 137          |
| <i>Lorgnettes,</i>  |              | temporary employees.....   | 137          |
| excise tax on sales of, by dealers.....   | 293          | for provisions; commutation of rations..   | 137          |
| <i>Loss by Exchange,</i>  |              | for clothing.....  | 137          |
| appropriation for, Army disbursing officers, abroad and in Alaska.....  | 76           | for fuel, etc.....   | 137          |
| <i>Lump Sum Appropriations,</i>   |              | for military stores, etc.....  | 137          |
| statements to accompany estimates for; details required.....  | 21           | ammunition, etc.....   | 138          |
| to take the place of former requirements.   | 21           | for transportation and recruiting.....   | 138          |
| <i>Lunacy Writs, D. C.,</i>   |              | for repairs to barracks, etc.; rent.....   | 138          |
| deficiency appropriation for expenses of executing.....   | 32, 33       | for forage.....  | 138          |
| <i>Lyceums, Lecture,</i>  |              | for contingent.....  | 138          |
| exempt from special excise tax.....   | 296          | funeral expenses of officers and enlisted men.....                                     | 138          |
| <b>M.</b>   |              | laundries.....   | 139          |
| <i>McMillan Park Reservoir, D. C.,</i>  |              | disbursement and accounting.....   | 139          |
| appropriation for maintenance, etc.....   | 3            | deficiency appropriation for pay.....  | 52, 56, 197  |
| <i>McNeil Island, Wash.,</i>  |              | for Quartermaster's Department....   | 52, 56, 197  |
| deficiency appropriation for penitentiary, construction.....  | 194          | for contingent.....  | 52, 56, 197  |
| <i>Madden, William,</i>   |              | <i>Marine Glasses,</i>   |              |
| deficiency appropriation for extra services.  | 50           | excise tax on sales of, by dealers.....  | 293          |
| <i>Madison County, Miss.,</i>   |              | <i>Marine Hospitals (see also Public Health Service),</i>                              |              |
| bridge authorized across Pearl River, between Rankin County and.....  | 219          | deficiency appropriation for maintenance..   | 196          |
| <i>Mahoning River,</i>  |              | <i>Marine Schools, State,</i>  |              |
| bridge authorized across, Warren, Ohio... dam authorized across, near Warren, Ohio.   | 3            | appropriation for expenses, New York, Massachusetts, Washington, and Pennsylvania..... | 124          |
| restriction of use, etc.....  | 141          | <i>Marines, etc.,</i>  |              |
|   | 142          | appropriation for transportation of disabled, on furlough from hospitals.....          | 94           |
|   |              | <i>Marion and Florence Counties, S. C.,</i>  |              |
|   |              | may bridge Great Pee Dee River, near Mars Bluff Ferry.....                             | 322          |
|   |              | <i>Markets Bureau, Department of Agriculture,</i>                                      |              |
|   |              | deficiency appropriation for general expenses.....                                     | 58, 196      |
|   |              | <i>Mars Bluff Ferry, S. C.,</i>  |              |
|   |              | bridge authorized across Great Pee Dee River at.....                                   | 322          |

|  |                              |  |              |
|--|------------------------------|--|--------------|
| <i>Marshals, United States Courts,</i><br>deficiency appropriation for salaries, etc..   | Page.<br>54, 58,<br>194, 199 | <i>Maternity and Infancy Hygiene Act—Contd.</i><br>use forbidden of moneys apportioned, for<br>buildings, lands, etc.....  | Page.<br>226 |
| <i>Marston, Ray L.,</i><br>appointed manager of Volunteer Soldiers'<br>Home.....   | 326                          | of appropriated by States, for pensions,<br>etc.....   | 226          |
| <i>Maryland Judicial District,</i><br>deficiency appropriation for judgment of,<br>in favor of Baltimore Dry Docks and<br>Shipbuilding Company.....  | 195                          | report to Congress annually by Secretary<br>of Labor.....  | 226          |
| <i>Mason, William E., late a Representative in<br/>Congress,</i><br>deficiency appropriation for pay to widow<br>of.....   | 195                          | intention of Act declared.....   | 226          |
| <i>Massachusetts,</i><br>appropriation for reimbursing, for marine<br>school expenses.....   | 124                          | <i>Mattheus, Joseph,</i><br>deficiency appropriation for.....  | 37           |
| <i>Maternity and Infancy Hygiene Act,</i><br>appropriations authorized to cooperate<br>with States in promoting maternity<br>and infancy hygiene, etc.....   | 224                          | <i>Meat Food Products and Meats (see Packers<br/>and Stockyards Act).</i>  |              |
| amount authorized annually for five years<br>to be apportioned among the States.<br>additional; specific to each State, and<br>balance, in proportion to population<br>payments limited to appropriations by<br>States of equal amounts..... | 224                          | <i>Meat Inspection,</i><br>deficiency appropriation for.....   | 56           |
| unused balance of apportionments avail-<br>able for succeeding year.....   | 224                          | <i>Meats,</i><br>temporary duty on, all kinds, prepared or<br>preserved, not specially provided for.   | 10           |
| Board of Maternity and Infancy Hygiene<br>created .....  | 224                          | <i>Mechanical Devices,</i><br>deficiency appropriation for cooperative<br>standardizing, etc., used in indus-<br>tries, and by the Government, 1922.                           | 48           |
| composition, organization, and author-<br>ity.....   | 224                          | <i>Mechanical Equipment, Public Buildings,</i><br>deficiency appropriation for.....  | 52, 56, 196  |
| Children's Bureau to execute Act.....  | 224                          | <i>Medal of Honor, Congressional,</i><br>bestowal of, upon body of unknown un-<br>identified American soldier to be<br>buried in Arlington Memorial Am-<br>phitheater, Va..... | 191          |
| studies, etc., by, to promote efficient<br>administration.....   | 224                          | Italian Soldier, in Victor Emanuel Na-<br>tional Monument, Rome, Italy.....  | 204          |
| State Legislatures to accept provisions of<br>Act, and designate State agency to<br>execute.....   | 225                          | <i>Medical and Hospital Services, War Risk<br/>Insurance Bureau,</i><br>deficiency appropriation for.....  | 37           |
| administration by child labor divisions..<br>acceptance by Governor temporarily to<br>await action by.....   | 225                          | <i>Medical Department, Army,</i><br>appropriation for supplies, etc.....   | 87           |
| restrictive amount authorized from addi-<br>tional appropriations for adminis-<br>trative expenses.....  | 225                          | for mosquito destruction, Canal Zone...  | 87           |
| from which employees from civil service<br>eligibles allowed.....  | 225                          | for veterinary supplies, services, etc....   | 87           |
| office supplies, travel, etc.....  | 225                          | for private treatment, etc.; exception...  | 87           |
| apportionment to be made annually by<br>Bureau.....  | 225                          | for preventing, etc., epidemic diseases..  | 87           |
| certificate to Secretary of the Treasury of<br>amount for administrative expenses<br>to State treasurers of apportionment<br>to the States.....  | 225                          | for civilian employees, nurses, etc.....   | 87           |
| plans for operation to be submitted by<br>State agencies.....  | 225                          | for tuition of officers, etc.....  | 87           |
| to forbid officials entering homes without<br>consent of parents.....  | 225                          | for supplies, Hot Springs Hospital.....  | 87           |
| notice of approval by Board required....   | 225                          | for hospital treatment of Canal Zone gar-<br>risons.....   | 87           |
| officials of Children's Bureau not permitted<br>to enter homes, etc., if objected to..   | 225                          | for Museum.....  | 88           |
| parental powers not limited hereby.....  | 225                          | for Library, Surgeon General's Office...   | 88           |
| certificate by Bureau to Secretary of the<br>Treasury of amounts appropriated<br>by States, and allotments thereto..   | 225                          | deficiency appropriation for supplies, etc..<br>56, 196  | 196          |
| details in.....  | 226                          | for artificial limbs.....  | 196          |
| payments authorized thereupon.....   | 226                          | <i>Medical Department, Navy (see Bureau of<br/>Medicine and Surgery, Navy).</i>  |              |
| reports to be made by State agencies.....  | 226                          | <i>Medical Museum, Army,</i><br>appropriation for preserving specimens,<br>etc.....  | 88           |
| further certificates to be withheld if<br>money improperly spent.....  | 226                          | <i>Medical Reserve Corps, Army,</i><br>appropriation for one officer of, on active<br>duty.....  | 74           |
| if no appropriation made by State.....   | 226                          | pay, etc., of officers and nurses caring for<br>War Risk Insurance Bureau patients<br>at Army hospitals may be from allot-<br>ments thereof.....                               | 74           |
| appeal to the President allowed .....  | 226                          | <i>Meeks Ferry, Miss.,</i><br>bridge authorized across Pearl River, be-<br>tween Grigsbys Ferry and .....  | 219          |
| notice to State authority before with-<br>holding.....   | 226                          | <i>Meerschaum, etc., Pipes,</i><br>excise tax on, sold by producer, etc.....   | 292          |
|  |                              | <i>Melada,</i><br>temporary duty on.....   | 10           |
|  |                              | <i>Members of the House of Representatives,</i><br>appropriation for mileage.....  | 2            |
|  |                              | <i>Membership Fees, etc.,</i><br>internal revenue tax on, of social clubs, etc.<br>exemption of fraternal lodges, etc.....   | 291<br>291   |

|   | Page. | <i>Military Academy—Continued.</i>           | Page. |
|---|-------|--|-------|
| <i>Memorials,</i>                             |       | appropriation for extra pay of officers..... | 95    |
| building authorized for World War service,    |       | for longevity.....                           | 95    |
| at Abilene, Tex., on public building          | 199   | for constructing quartermaster, addition     |       |
| site.....                                     | 200   | to pay.....                                  | 95    |
| approval of design, etc.....                  |       | for enlisted men.....                        | 95    |
| erection in grounds of Department of Agri-    |       | for band.....                                | 95    |
| culture permitted of, to employees            |       | for field musicians.....                     | 95    |
| thereof who died in war with Ger-             | 170   | for service detachment.....                  | 95    |
| many.....                                     |       | for Cavalry detachment.....                  | 96    |
| approval of site and design by Joint Com-     |       | for Artillery detachment.....                | 96    |
| mittee on the Library and Commis-             | 170   | for Engineer detachment.....                 | 96    |
| sion of Fine Arts.....                        | 170   | for Signal Corps detachment.....             | 96    |
| no expense to be incurred.....                |       | for Coast Artillery detachment.....          | 97    |
| <i>Memphis, Tenn.,</i>                        |       | for travel allowance.....                    | 97    |
| reconstructing approaches to bridge across    | 172   | for interest on deposits.....                | 97    |
| Mississippi River at, dispensed with.         | 172   | for additional pay, detached service.....    | 97    |
| also maintenance of wagon and foot pas-       |       | for pay of civilians.....                    | 97    |
| senger bridge.....                            |       | quarters, etc., to civilian instructors..    | 98    |
| <i>Mesa Verde National Park, Colo.,</i>       |       | accounting, etc.....                         | 99    |
| deficiency appropriation for highway from,    | 45    | for expenses, Board of Visitors.....         | 99    |
| to Gallup, N. Mex.....                        |       | for contingencies, superintendent.....       | 99    |
| <i>Mescalero Indian Reservation, N. Mex.,</i> |       | for repairs and improvements.....            | 99    |
| deficiency appropriation for roads and        | 45    | for fuel, light, stationery, etc.....        | 99    |
| bridges.....                                  |       | for transportation.....                      | 99    |
| <i>Messages, Telegraph, Telephone, etc.,</i>  |       | for printing, etc.....                       | 99    |
| revenue tax on, in United States.....         | 284   | for expenses, department of Cavalry, Ar-     |       |
| <i>Messenger Service, Mail,</i>               |       | tillery, and Infantry tactics.....           | 99    |
| deficiency appropriation for.....             | 55    | for maintenance cadet camp site.....         | 100   |
| <i>Metropolitan Park Commission, etc.,</i>    |       | for instruction material, etc., for desig-   |       |
| may construct drawless bridges across         |       | nated departments.....                       | 100   |
| Charles River, Mass., between Cam-            | 219   | for lectures.....                            | 100   |
| bridge and Boston.....                        |       | for miscellaneous and incidental ex-         |       |
| <i>Mexico,</i>                                |       | penses.....                                  | 101   |
| admission to domicile of Chinese refugees     |       | for lighting, plumbing, etc.....             | 101   |
| from, attached to punitive expedi-            | 325   | for library, etc.....                        | 101   |
| tion in 1916.....                             |       | for contingent, academic board; tech-        |       |
| steamer passenger tickets to, exempt from     | 305   | nical supplies.....                          | 101   |
| stamp tax.....                                |       | for band instruments, etc.....               | 101   |
| <i>Michigan City, Ind.,</i>                   |       | for laundry, cadet mess, etc.....            | 101   |
| special canceling stamp of "Visit the         |       | for policing barracks, etc.....              | 101   |
| Dunes," etc., authorized for post             | 202   | for cadet barracks, furniture, etc.....      | 101   |
| office at.....                                |       | for children's school.....                   | 101   |
| <i>Midshipmen, Navy,</i>                      |       | for cadet hospital.....                      | 101   |
| appropriation for mileage from their homes    | 122   | for care of trophies.....                    | 101   |
| when entering Naval Academy.....              |       | for fire protection.....                     | 101   |
| readmission authorized of, found deficient    | 207   | for buildings and grounds.....               | 101   |
| at first term 1920-21, who resigned           | 207   | for ordnance museum; laboratory; gen-        |       |
| on request; conditions.....                   |       | eral repairs, etc.....                       | 101   |
| repeal of authorization for reexamination     | 207   | for waterworks.....                          | 102   |
| of, deficient at close of last term, etc.     |       | for roads, grounds, etc.....                 | 102   |
| restoration of provision for discontinuance   | 208   | for repairs, etc., to mess buildings, etc..  | 102   |
| of, for deficiency at any examina-            |       | for cadet boathouse, etc.....                | 102   |
| tion.....                                     |       | for south cadet barracks.....                | 102   |
| <i>Mileage, Army,</i>                         |       | for cadet barracks, immediate repairs...     | 102   |
| appropriation for designated officers, etc..  | 75    | for post cemetery.....                       | 102   |
| deficiency appropriation for designated offi- | 196   | for walls, roads, etc.....                   | 102   |
| cers, etc.....                                |       | for cadet mess, repairs, etc.....            | 102   |
| <i>Mileage Books,</i>                         |       | for waterproofing large buildings.....       | 102   |
| refund of tax on unused portion of.....       | 284   | surplus material for temporary con-          |       |
| <i>Mileage, Marine Corps,</i>                 |       | struction work to be transferred to,         |       |
| appropriation for officers without troops...  | 136   | without expense.....                         | 102   |
| <i>Mileage, Navy,</i>                         |       | tools, etc., for instructing cadets.....     | 102   |
| appropriation for officers, etc.....          | 122   | for changes, etc., east academic build-      |       |
| allowed midshipmen from their homes,          | 122   | ing.....                                     | 103   |
| on entering Naval Academy.....                |       | for extensions to new bachelor building.     | 103   |
| <i>Military Academy,</i>                      |       | leaves of absence, construction work         |       |
| appropriation for support of the.....         | 95    | employees.....                               | 103   |
| for pay of professors.....                    | 95    | deficiency appropriation for pay.....        | 56    |
| for chaplain.....                             | 95    | purchase of polo ponies limited for use of.  | 82    |
| for master of sword; rank, etc.....           | 95    | <i>Military Attaches,</i>                    |       |
| for pay of cadets; rate for 1922.....         | 95    | appropriation for expenses abroad, etc.;     |       |
| credit of balance due on initial cloth-       | 95    | rent of offices.....                         | 69    |
| ing, etc., issues since June 15, 1920.        | 95    | <i>Military Establishment (see Army).</i>    |       |
| credit on admission allowed hereafter.        | 95    |  |       |

# INDEX.

li

| <i>Military Intelligence Division, General Staff</i>  | Page.       | <i>Mines Bureau, Interior Department,</i>       | Page.       |
|---|-------------|---|-------------|
| <i>Corps, Army,</i>                                   |             | deficiency appropriation for investigating      |             |
| appropriation for contingent expenses.....            | 69          | mining, etc., nonmetallic minerals,             |             |
| for expenses, military attachés.....                  | 69          | 1922.....                                       | 44          |
| for observing operations abroad.....                  | 69          | for general expenses.....                       | 53, 197     |
| deficiency appropriation for contingen-               |             | for mine experiment stations.....               | 53          |
| cies.....   | 52, 56, 196 | for investigating mine accidents.....           | 53, 57, 197 |
| <i>Military Observers Abroad, Army,</i>               |             | for petroleum and natural gas investiga-        |             |
| appropriation for expenses of.....                    | 69          | tions.....                                      | 53, 57      |
| <i>Military or Naval Forces of the United States,</i> |             | for enforcing explosives regulations, etc..     | 53          |
| persons included as of, in Revenue Act of             |             | for testing fuel.....                           | 57, 197     |
| 1921.....   | 227         | for mine rescue cars.....                       | 57          |
| <i>Military Posts,</i>                                |             | <i>Mines, Oil or Gas Wells, etc.,</i>           |             |
| appropriation for water and sewer systems             |             | maximum excess profits tax on sales of, by      |             |
| at; limit for new work.....                           | 81          | discoverer, etc.....                            | 277         |
| for construction, etc., post exchanges...             | 83          | <i>Mining Industry, United States,</i>          |             |
| training, etc., camps, recreation ex-                 |             | exhibit of, to be prepared for Rio de           |             |
| penses at.....  | 83          | Janeiro, Brazil, Exposition.....                | 210         |
| "Hostess Houses".....                                 | 83          | report to accompany.....                        | 210         |
| for roads, walks, wharves, and drainage,              |             | <i>Mints and Assay Offices,</i>                 |             |
| etc., at.....   | 84          | deficiency appropriations for New York          |             |
| not available for National Army or                    |             | City, N. Y.....                                 | 51, 196     |
| National Guard camps, etc.....                        | 84          | <i>Missionaries,</i>                            |             |
| deficiency appropriation for roads, walks,            |             | dying in service abroad, not deemed non-        |             |
| wharves, and drainage at.....                         | 52          | residents of the United States.....             | 281         |
| <i>Military Reservations,</i>                         |             | <i>Missionary Ridge, Ga. and Tenn.,</i>         |             |
| control of highways in, not affected by               |             | deficiency appropriation for examination,       |             |
| Federal Highway Act.....                              | 212         | etc., improving boulevard on.....               | 39          |
| San Juan Island, Wash., granted to State              |             | <i>Mississippi River,</i>                       |             |
| for biological station, etc., conditions              | 173         | reconstructing approaches and mainte-           |             |
| <i>Military Reservations, Abandoned,</i>              |             | nance of foot and wagon bridge                  |             |
| disposal of lands in Vashon Island, Wash.,            |             | across, at Memphis, Tenn., dispensed            |             |
| to occupants under former lease....                   | 142         | with.....                                       | 172         |
| sale authorized of undisposed of lands                |             | <i>Missouri,</i>                                |             |
| within Fort Buford, N. Dak., and                      |             | part of public building site, Jefferson City,   |             |
| Mont.....   | 159         | granted to, for addition to State               |             |
| <i>Military Service,</i>                              |             | Capitol grounds.....                            | 206         |
| deficiency appropriation for expenses reg-            |             | <i>Missouri River,</i>                          |             |
| istration, etc., for.....                             | 52          | bridges authorized across, at Boonville, Mo.    | 173         |
| <i>Military Stores, etc., Marine Corps,</i>           |             | <i>Mitchell, John J.,</i>                       |             |
| appropriation for, ammunition, etc.....               | 137         | deficiency appropriation for credit in ac-      |             |
| <i>Militia, Organized,</i>                            |             | counts.....                                     | 41          |
| deficiency appropriation for arming and               |             | <i>Modoc Point Irrigation System, Oreg.,</i>    |             |
| equipping.....  | 52          | deficiency appropriation for maintenance,       |             |
| for encampment and maneuvers.....                     | 196         | etc.....  | 45          |
| <i>Milk,</i>  |             | <i>Molasses,</i>                                |             |
| temporary duty on fresh; condensed, etc..             | 10          | temporary duty on.....                          | 10          |
| sugar of.....   | 10          | <i>Money Orders, Postal Service,</i>            |             |
| <i>Mills,</i>   |             | special form of, authorized for transmitting    |             |
| excise tax on products of, using prohibited           |             | Government insurance premiums...                | 157         |
| child labor.....                                      | 306         | <i>Montgomery County, Tenn.,</i>                |             |
| <i>Mine Accidents,</i>                                |             | time extended for bridging, Cumberland          |             |
| deficiency appropriation for investigating,           |             | River by, near Clarksville.....                 | 205         |
| etc.....  | 53, 57, 197 | <i>Moon, Ray,</i>                               |             |
| <i>Mineral Entries, Public Lands,</i>                 |             | payment to, for services in road building,      |             |
| annual assessment work for, to commence               |             | out of rural post roads allotment to            |             |
| July 1, hereafter.....                                | 186         | North Carolina.....                             | 46          |
| extension of, for 1921.....                           | 186         | <i>Mosher, Alex, jr.,</i>                       |             |
| <i>Mineral Leases,</i>                                |             | deficiency appropriation for refunding....      | 33          |
| permitted by North and South Dakota,                  |             | <i>Most Favored Nation Treatment,</i>           |             |
| within their school lands.....                        | 159         | retention of property of German and             |             |
| <i>Mineral Products,</i>                              |             | Austro-Hungarian Governments un-                |             |
| losses incurred in expending money in pro-            |             | til, be granted Americans in resi-              |             |
| duction, etc., of, in response to                     |             | dence, business, etc.....                       | 106         |
| Government appeal, etc., to be re-                    |             | <i>Motion Picture Films, Positive,</i>          |             |
| imbursed from appropriation there-                    |             | excise tax on, leased or licensed by pro-       |             |
| for.....  | 322         | ducer, etc., below market price to an           |             |
| reopening of awards denied heretofore..               | 322         | affiliated corporation.....                     | 292         |
| <i>Mineral Waters,</i>                                |             | to benefit interest of producer, etc.....       | 292         |
| internal revenue tax on bottled, natural,             |             | <i>Motor Boats,</i>                             |             |
| or artificial, sold by producer, etc..                | 285         | excise tax on sales of pleasure, by builder,    |             |
| <i>Mines,</i>   |             | etc.....  | 292         |
| excise tax on products of, using prohibited           |             | special tax on users of, not for business, etc. | 297         |
| child labor.....                                      | 306         |   |             |

|   |     |  |             |
|---|-----|--|-------------|
| <i>Motor Cycles,</i>                        |     | <i>Narcotics—Continued.</i>                        |             |
| excise tax on sales of, and accessories, by |     | disposal, except in or from stamped pack-          | Page.       |
| producer, etc.....                          | 291 | ages, unlawful.....                                | 299         |
| tires, etc., to other than manufacturer..   | 291 | evidence of violation, etc.....                    | 299         |
| <i>Motor Vehicles, Army,</i>                |     | obtained by prescription, etc., permit-            |             |
| transfer of one, to Alien Property Custo-   |     | ted.....   | 299         |
| dian.....                                   | 29  | professional administrations, etc., by             |             |
| transfer of one passenger, to Government    |     | registered physicians, etc., allowed..             | 300         |
| Printing Office.....                        | 50  | stamp provisions made applicable to en-            |             |
| transfers to Botanic Garden, D. C.....      | 29  | graving, etc.....                                  | 300         |
| <i>Mount Pleasant, Mich.,</i>               |     | seizure, etc., of unstamped packages in            |             |
| deficiency appropriation for Indian School. | 45  | possession of any person.....                      | 300         |
| for Indian school, 1920.....                | 45  | revenue laws governing, made applica-              |             |
| for Indian school, repairs, etc., 1920....  | 45  | ble.....   | 300         |
| for Indian school, 1921.....                | 45  | records and returns required of importers,         |             |
| <i>Mud Slough, Isthmus Inlet, Oreg.,</i>    |     | manufacturers, and wholesale deal-                 |             |
| construction of dike across, authorized.... | 65  | ers.....   | 300         |
| <i>Municipal Court, D. C.,</i>              |     | regulations to be made.....                        | 300         |
| deficiency appropriation for contingent     |     | designated medicines, etc., not subject to         |             |
| expenses, 1921.....                         | 31  | provisions hereof.....                             | 300         |
| for 1922.....                               | 31  | records to be kept of all sales, etc.; pres-       |             |
| for additional employees to June 30, 1922.  | 31  | ervation for two years, etc.....                   | 300         |
| for compensation to jurors to June 30,      |     | registry and tax required.....                     | 301         |
| 1922.....                                   | 31  | decocainized coca leaves, etc., not sub-           |             |
| for expenses, jurors and deputy marshals,   |     | ject to this Act.....                              | 301         |
| to June 30, 1922.....                       | 31  | all opium, etc., seized from persons con-          |             |
| for repairs, etc., to June 30, 1922.....    | 31  | vinced with violations of law to be                |             |
| for furniture, etc., to June 30, 1922.....  | 31  | confiscated.....                                   | 301         |
| for contingent expenses.....                | 33  | delivery for medical purposes to any               |             |
| <i>Museums,</i>                             |     | Federal department, etc.....                       | 301         |
| special tax on proprietors of.....          | 295 | applicable to seizures from unknown                |             |
| places, etc., exempt.....                   | 295 | owners.....  | 301         |
| <i>Muskogee County, Okla.,</i>              |     | restriction on destruction.....                    | 301         |
| time extended for bridging Arkansas River,  |     | <i>National Board for Promotion of Rifle Prac-</i> |             |
| near Fort Gibson by.....                    | 104 | <i>tice,</i>                                       |             |
| Webbers Falls.....                          | 104 | appropriation for reimbursing members of,          |             |
| <i>Mutton,</i>                              |     | for expenses.....                                  | 91          |
| temporary duty on.....                      | 10  | <i>National Cemeteries,</i>                        |             |
| <i>Mutual Cemetery Companies, etc.,</i>     |     | deficiency appropriation for headstones for        |             |
| exempt from income tax.....                 | 253 | soldiers' graves.....                              | 52, 56, 197 |
| <i>Mutual Local Associations, Farmers',</i> |     | expenses attending burial of unknown               |             |
| exempt from income tax.....                 | 253 | American soldier at Arlington, Va.,                |             |
| <i>Mutual Savings Banks,</i>                |     | payable from appropriation for dis-                |             |
| exempt from income tax.....                 | 253 | position of remains of officers, etc....           | 207         |
|   |     | including transporting troops, etc., to            |             |
|   |     | and from Washington.....                           | 207         |
|   |     | amount limited.....                                | 207         |
|   |     | <i>National Currency,</i>                          |             |
|   |     | deficiency appropriation for additional            |             |
|   |     | counters, office of Comptroller of the             |             |
|   |     | Currency, 1922, on.....                            | 36          |
|   |     | for distinctive paper for.....                     | 39          |
|   |     | <i>National Forests (see also Federal Highway</i>  |             |
|   |     | <i>Act),</i>                                       |             |
|   |     | appropriation for survey, construction,            |             |
|   |     | etc., of forest roads and trails.....              | 218         |
|   |     | apportionment of.....                              | 218         |
|   |     | deferred grazing fees in, paid prior to            |             |
|   |     | December 31, 1921, considered as                   |             |
|   |     | receipts of fiscal year 1921.....                  | 220         |
|   |     | payment for Ozark Forest Road, Ark., ad-           |             |
|   |     | vertising, out of fund for cooperative             |             |
|   |     | roads, etc., fund.....                             | 45          |
|   |     | time extended for paying grazing fees in,          |             |
|   |     | for 1921.....                                      | 186         |
|   |     | <i>National Guard,</i>                             |             |
|   |     | appropriation for pay of officers.....             | 73          |
|   |     | for pay of enlisted men.....                       | 74          |
|   |     | for purchase of animals for mounted                |             |
|   |     | units.....   | 92          |
|   |     | for forage, etc.....                               | 92          |
|   |     | for care, etc., of material, animals, and          |             |
|   |     | equipment.....                                     | 92          |

## N.

|   |        |
|---|--------|
| <i>Narcotics,</i>                           |        |
| deficiency appropriation for expenses re-   |        |
| stricting sale, etc., of.....               | 37, 51 |
| importers, manufacturers, dealers, etc., in |        |
| opium, coca leaves, and prepara-            |        |
| tions thereof, to register with collec-     |        |
| tors of internal revenue.....               | 298    |
| registry and proportionate tax if so en-    |        |
| gaged January 1, 1919.....                  | 298    |
| subsequently engaged.....                   | 298    |
| special tax on designated occupations.....  | 298    |
| definition of importer, manufacturer, and   |        |
| producer.....                               | 299    |
| wholesale dealer.....                       | 299    |
| retail dealer.....                          | 299    |
| place of business; employees excepted       |        |
| from registry and tax.....                  | 299    |
| exemption of officials from registry, tax,  |        |
| etc.....                                    | 299    |
| regulations to be prescribed.....           | 299    |
| disposal by persons not registered unlaw-   |        |
| ful.....                                    | 299    |
| "person" construed; special tax laws        |        |
| applicable.....                             | 299    |
| stamp tax on, produced or imported....      | 299    |
| additional to import duty.....              | 299    |

| <i>National Guard—Continued.</i>  |         | <i>National Prohibition Act—Continued.</i>  |             |
|---|---------|---|-------------|
| appropriation for expenses, camps of instruction.....   | 92      | changes of formulas; restricted unless sales of such articles for beverages increased in the community.....                   | 222         |
| for attending military service schools....  | 92      | importing and manufacturing spirituous liquors prohibited until present supply insufficient for current nonbeverage uses..... | 222         |
| for officers detailed with Army.....  | 92      | vinous liquors forbidden importation unless domestic production insufficient for nonbeverage needs.....                       | 223         |
| for property and disbursing officers.....   | 92      | shipments en route not affected.....  | 223         |
| for equipment and instruction expenses. for traveling expenses, Regular Army officers, etc.....   | 92      | spirits exported free of tax may be returned in original packages, etc., to bonded warehouse.....                             | 223         |
| for repair of property.....   | 92      | prohibition provisions extended to all United States territory.....   | 223         |
| for transporting supplies.....  | 92      | Hawaii and Virgin Islands included....  | 223         |
| for sergeant instructors; rent.....   | 92      | enforcement by courts thereof.....  | 223         |
| for pay of; armory drills.....  | 92      | effective regulations to be prescribed....  | 223         |
| interchangeable expenditures.....   | 92      | violations penalized.....   | 223         |
| for arms, uniforms, equipment, etc., for field service, National Guard of the States, etc.....  | 92      | existing internal revenue laws continued if not inconsistent with prohibition provisions.....                                 | 223         |
| payment of Army pay for service of less than a month.....   | 93      | convictions under either a bar to prosecutions under the other.....   | 223         |
| clothing, equipment, ammunition, etc., to be issued from reserve stores, without charge.....  | 93      | tax assessment and collection procedure the same as for liquor traffic, etc.....  | 223         |
| deficiency appropriation for arming, equipping, etc.....  | 52, 196 | tax exemption of spirits lost by casualty in transit, etc., without negligence of owner.....                                  | 223         |
| <i>National Home for Disabled Volunteer Soldiers,</i>   |         | to extent not indemnified therefor....  | 223         |
| deficiency appropriation for Leavenworth, Kans.....   | 197     | applicable to prior claims.....   | 223         |
| allotments for remodeling hospital facilities for ex-soldiers, etc., at, transferred to credit and disbursement of Board of Managers..... | 37      | industrial alcohol not affected.....  | 223         |
| facilities, equipment, etc., of, made available for uses of Veterans' Bureau....  | 150     | searching private dwellings by enforcement officials without a search warrant, a misdemeanor.....                             | 223         |
| manager appointed, Ray L. Marston.....  | 326     | penalty for first offense.....  | 224         |
| <i>National Museum,</i>   |         | punishment for subsequent offenses....  | 224         |
| deficiency appropriation for printing and binding for.....  | 50      | arrests, etc., by persons falsely claiming to be officials of the United States, a misdemeanor.....                           | 224         |
| for preservation of collections.....  | 198     | punishment for.....   | 224         |
| <i>National Parks,</i>  |         | <i>National Security and Defense,</i>   |             |
| deficiency appropriation for Chickamauga and Chattanooga, Missionary Ridge boulevard in.....  | 39      | deficiency appropriation for, under War Department.....   | 52          |
| for Shiloh.....   | 39      | for, under the Executive.....   | 53, 58, 198 |
| for Glacier, Mont.....  | 53      | for, under Shipping Board.....  | 54          |
| for Lafayette, Me.....  | 57      | for Food and Fuel Administrations, educational expenses.....  | 54, 198     |
| control of highways in, not affected by Federal Highway Act.....  | 212     | for, under Department of Commerce ..  | 54, 199     |
| feasibility of establishing Chalmette Military Park, on site of Battle of New Orleans, La., January 8, 1815, to be investigated, etc..... | 221     | for, Department of Labor.....   | 54, 58, 199 |
| expenses payable from Army contingencies.....   | 221     | for, under Department of Justice.....   | 54, 199     |
| <i>National Prohibition Act,</i>  |         | for, under War Risk Insurance Bureau..  | 196         |
| deficiency appropriation for expenses of Internal Revenue Bureau in enforcing.....  | 37      | for, under Committee on Public Information.....   | 198         |
| provisions supplemental to.....   | 222     | for, under Department of State.....   | 198         |
| meaning of specified words.....   | 222     | <i>National Training School for Girls, D. C.,</i>   |             |
| spirituous and vinous liquors only may be prescribed as medicines.....  | 222     | deficiency appropriation for contingent expenses.....   | 32          |
| permits for others, void.....   | 222     | <i>Nationality of Aliens,</i>   |             |
| alcoholic content of prescriptions, and sales of vinous liquors, limited.....   | 222     | admissions limited until June 30, 1922, to 3 per cent of foreign born of same, resident in United States, 1910.....           | 5           |
| limitation on furnishing prescription blanks to physicians.....   | 222     | <i>Natural Gas,</i>   |             |
| issuing prescriptions by physicians.....  | 222     | deficiency appropriation for investigations for economic production, etc.....   | 53, 57      |
| provisions not applicable to sales of nonbeverage articles.....   | 222     | <i>Naturalization Bureau, Department of Labor,</i>  |             |
| change of formulas of nonbeverage articles may be ordered if used for beverages.  | 222     | deficiency appropriation for miscellaneous expenses.....  | 54, 58      |
| cancellation of permits, if not complied with.....  | 222     | <i>Navajo Indian Reservation, N. Mex.,</i>  |             |
| review by court.....  | 222     | deficiency appropriation for highway from Mesa Verde Park to Gallup, on.....  | 45          |

|   |       |   |       |
|---|-------|---|-------|
| <i>Naval Academy,</i>                         | Page. | <i>Naval Reserve Force, Navy,</i>                 | Page. |
| appropriation for professors and instructors. | 134   | appropriation for transportation, etc., en-       | 124   |
| for swordmaster, assistants, etc.             | 134   | listed men.                                       | 127   |
| for watchmen, etc.                            | 135   | for organizing, etc., expenses.                   | 127   |
| for department of ordnance and gunnery.       | 135   | use for training without consent of               | 127   |
| for departments of electrical engineering     |       | member, forbidden.                                | 131   |
| and physics.                                  | 135   | for retainer and active service pay.              | 132   |
| for department of seamanship.                 | 135   | forbidden on failure to train.                    | 197   |
| for department of marine engineering          |       | deficiency appropriation for organizing.          | 140   |
| and naval construction.                       | 135   | officers of, eligible to be retired for disabili- | 140   |
| for commissary department.                    | 135   | ties incurred in time of war.                     | 140   |
| for department of buildings and grounds.      | 135   | applications to be filed not later than           | 140   |
| for current and miscellaneous expenses.       | 135   | October 1, 1921.                                  | 124   |
| for books for library.                        | 135   | <i>Naval Service in World War,</i>                |       |
| for expenses, board of visitors.              | 135   | statements to be furnished States, etc., of all   | 124   |
| for contingencies, superintendent.            | 135   | persons of, who served in the Navy.               | 124   |
| for commandant of midshipmen.                 | 135   | appropriation for obtaining material, and         | 124   |
| for general maintenance and repairs.          | 135   | temporary clerical force.                         |       |
| for commutation of rent for bandmen.          | 136   | <i>Naval Training Stations,</i>                   |       |
| for mileage from their homes to midship-      |       | appropriation for California.                     | 125   |
| men entering.                                 | 122   | for Rhode Island.                                 | 125   |
| for engineering experiment station.           | 134   | for Great Lakes.                                  | 126   |
| midshipmen who resigned on request as         |       | for Hampton Roads, Va.                            | 126   |
| deficient in examinations of first            |       | for developing permanent, San Diego,              | 130   |
| term, 1920-21, may be readmitted;             |       | Calif.  |       |
| conditions.                                   | 207   | <i>Naval War College, Coasters Harbor Island,</i> |       |
| provisions for reexamination of, etc., if     |       | R. I.,  |       |
| failing at last term, etc.                    | 207   | appropriation for maintenance, etc.               | 127   |
| restoration of former discontinuance on       |       | deficiency appropriation for.                     | 52    |
| failure at any examination.                   | 208   | <i>Navigation Bureau, Department of Commerce,</i> |       |
| <i>Naval Attachés,</i>                        |       | deficiency appropriation for enforcing wire-      | 47    |
| appropriation for expenses.                   | 122   | less communication laws.                          | 47    |
| <i>Naval Consulting Board, Civilian,</i>      |       | amount for employees in the District              | 47    |
| appropriation for expenses.                   | 123   | increased.  |       |
| <i>Naval Districts,</i>                       |       | <i>Navy,</i>                                      |       |
| use of pay, miscellaneous, for, not avail-    |       | appropriation for the naval service.              | 122   |
| able unless the commandant also               |       | schedule of all pay and allowances to             |       |
| commandant of yard, station, etc.             | 122   | be sent to Congress.                              | 122   |
| <i>Naval Establishment,</i>                   |       | for pay, miscellaneous.                           | 122   |
| appropriation for construction and ma-        |       | mileage; midshipmen entering Naval                | 122   |
| chinery, new vessels.                         | 139   | Academy.  | 122   |
| for submarine torpedo boats.                  | 139   | collecting naval information.                     | 122   |
| for armor and armament.                       | 139   | use at naval districts restricted.                | 122   |
| expenditures limited to vessels under         |       | limit, clerical, etc., services at yards          | 123   |
| construction.                                 | 139   | and stations.                                     | 123   |
| <i>Naval Expenditures, etc.,</i>              |       | interned persons and prisoners of war.            | 123   |
| Great Britain and Japan invited to a confer-  |       | private damages claims.                           | 123   |
| ence, to agree to a mutual reduction          |       | for contingent.                                   | 123   |
| of, annually during the next five             | 141   | for expenses, government for Virgin               | 123   |
| years.  | 141   | Islands.  | 123   |
| report thereof to the respective Govern-      |       | American citizenship required to hold             | 123   |
| ments.  | 141   | office in.  | 123   |
| deficiency appropriation for expenses of      |       | income tax laws of United States in               | 123   |
| conference.                                   | 192   | force in; payable to treasuries                   | 123   |
| <i>Naval Home, Philadelphia, Pa.,</i>         |       | thereof.  |       |
| appropriation for employees.                  | 127   | for expenses, civilian naval consulting           | 123   |
| for maintenance, etc.; from naval pen-        |       | board.  | 123   |
| sion fund.                                    | 127   | for aviation; expenses specified.                 | 123   |
| <i>Naval Hospitals,</i>                       |       | aircraft under construction.                      | 123   |
| appropriation for care of patients in, and    | 131   | new construction, etc.                            | 123   |
| other.  |       | helium plant, etc.                                | 123   |
| <i>Naval Information,</i>                     |       | building construction, etc., at stations.         | 123   |
| appropriation for expenses, collecting at     | 122   | accounted for as one fund.                        | 123   |
| home and abroad.                              |       | payment of damages from aircraft.                 | 123   |
| <i>Naval Militia,</i>                         |       | shore stations limited to six.                    | 124   |
| appropriation for organizing expenses, etc.   | 127   | construction of airplane factory for-             | 124   |
| <i>Naval Observatory,</i>                     |       | bidden.   |       |
| deficiency appropriation for contingent       |       | for marine schools, New York, Massa-              | 124   |
| expenses.                                     | 56    | chusetts, Washington, and Pennsyl-                | 124   |
| <i>Naval Petroleum Reserves,</i>              |       | vania.  |       |
| appropriation for care, etc.                  | 130   | for care of lepers, etc., Guam and Culin.         | 124   |
| <i>Naval Reservations,</i>                    |       |   |       |
| control of highways in, not affected by       |       |   |       |
| Federal Highway Act.                          | 212   |   |       |

# INDEX.

lv

| <i>Navy—Continued.</i>  | <i>Page.</i> |
|---|--------------|
| appropriation for Bureau of Navigation; transportation and recruiting.....                                    | 124          |
| transporting dependents of enlisted men.....  | 124          |
| for furnishing States with statements of services of persons therefrom during World War.....                  | 124          |
| for recreation, enlisted men.....   | 124          |
| for contingent.....   | 124          |
| for gunnery and engineering exercises..   | 125          |
| for equipment supplies, instruments, etc.   | 125          |
| gyrocompass testing, etc.....   | 125          |
| for ocean and lake surveys.....   | 125          |
| for training stations.....  | 125          |
| compensation for additional land, Great Lakes Station.....  | 126          |
| disposal of designated lands, etc., no longer needed for naval purposes....                                   | 126          |
| for Naval Reserve Force.....  | 127          |
| for receiving barracks.....   | 127          |
| for Naval War College.....  | 127          |
| for Naval Home.....   | 127          |
| for Bureau of Ordnance; ordnance and ordnance stores.....   | 127          |
| chemical, technical, etc., services....   | 128          |
| for smokeless powder.....   | 128          |
| for experiments in armor material, ordnance, etc.....   | 128          |
| for contingent.....   | 128          |
| use of appropriations for construction of shops, etc., unless specifically authorized thereby, forbidden..... | 128          |
| existing contracts, etc., not interfered with.....  | 128          |
| money to be used only for purposes for which appropriated for.....  | 128          |
| allocation of armor, etc., according to service requirements not prevented..                                  | 128          |
| for Bureau of Yards and Docks, maintenance.....   | 128          |
| clerical, etc., services.....   | 129          |
| motor vehicles, restrictions.....   | 129          |
| for Bureau of Yards and Docks, maintenance.....   | 128          |
| clerical, etc., services.....   | 129          |
| motor vehicles, restrictions.....   | 129          |
| for contingent.....   | 129          |
| for public works at designated yards and stations.....  | 129          |
| for ammunition depots.....  | 130          |
| for fuel depots.....  | 130          |
| for Hampton Roads, Va., operating base.   | 130          |
| for San Diego, Calif., Marine Barracks...   | 130          |
| for San Diego, Calif., naval base.....  | 130          |
| for San Diego, Calif., naval hospital....   | 130          |
| for submarine bases.....  | 130          |
| for San Diego, Calif., training station...  | 130          |
| for Bureau of Medicine and Surgery, surgeons' necessities, etc.....   | 130          |
| clerical, etc., services.....   | 130          |
| for contingent.....   | 130          |
| care of insane on Pacific coast.....  | 131          |
| for hospital treatment, etc.....  | 131          |
| for Bureau of Supplies and Accounts, pay of the Navy; allotments designated.....                              | 131          |
| credits to midshipmen for initial clothing and equipment issues.....  | 131          |
| accounting and disbursement hereunder as one fund.....  | 132          |
| retainer pay restriction, Naval Reserve Force.....  | 132          |
| for provisions.....   | 132          |
| for maintenance; equipment supplies...  | 132          |

| <i>Navy—Continued.</i>  | <i>Page.</i> |
|---|--------------|
| appropriation for maintenance; credit for losses in disposal of excess stocks...  | 132          |
| for chemical, etc., services.....   | 133          |
| outfits, etc., from clothing and small stores fund.....   | 133          |
| for freight, Department and bureaus....   | 133          |
| for fuel and transportation.....  | 133          |
| coal from public lands of Alaska.....   | 133          |
| for Bureau of Construction and Repairs; construction, etc.....  | 133          |
| equipment supplies.....   | 133          |
| naval brig "Niagara".....   | 134          |
| clerical, etc., services.....   | 134          |
| for Bureau of Engineering; repairs, etc., of machinery, etc.....  | 134          |
| equipment supplies.....   | 134          |
| clerical, etc., services.....   | 134          |
| for engineering experiment station, Naval Academy.....  | 134          |
| for Naval Academy.....  | 134          |
| for Marine Corps.....   | 136          |
| Quartermaster's Department.....   | 137          |
| for increase of Naval Establishment....   | 139          |
| for construction and machinery.....   | 139          |
| for torpedo boats, submarine.....   | 139          |
| for armor and armament; restriction....   | 139          |
| limited to vessels under construction. use of naval appropriations for Department purposes restricted.....                                | 139          |
| no pay to officers, etc., using time measuring devices on work of employees.....  | 139          |
| cash rewards, etc., restricted.....   | 139          |
| purchase of articles which can be produced at navy yards, restricted....  | 139          |
| reenlistment gratuities limited.....  | 139          |
| amounts for public works under Bureau of Yards and Docks available until expended; exception.....   | 139          |
| commutation of rations, rates for 1922.   | 139          |
| exchange, etc., of lands with Porto Rico for radio station.....   | 139          |
| Naval Reserve Force and temporary officers incurring disability in time of war, eligible for retirement; limit.                           | 140          |
| pay restriction modified of temporary employees in office of Solicitor.....   | 140          |
| Bureau of Aeronautics created in Navy Department; duties, personnel, etc.   | 140          |
| conference authorized with Governments of Great Britain and Japan, for reduction of naval programs, etc., during the next five years..... | 141          |
| deficiency appropriation for collision damage claims.....   | 43           |
| for pay, miscellaneous.....   | 43, 56, 197  |
| for Mrs. T. E. S. Cates.....  | 43           |
| for Boston Post.....  | 43           |
| for Boston Herald.....  | 43           |
| for Bureau of Yards and Docks, Norfolk, Va., dry dock.....  | 43           |
| for James W. Elwell and Company.....  | 44           |
| for International Mercantile Company..  | 44           |
| for Marine Corps.....   | 52, 56, 197  |
| for pay, miscellaneous.....   | 52           |
| for Bureau of Navigation.....   | 52, 197      |
| for Naval War College.....  | 52           |
| for Bureau of Yards and Docks.....  | 52           |
| for Bureau of Supplies and Accounts...  | 43,          |
|   | 52, 56, 197  |
| for freight.....  | 43, 53, 197  |
| for Bureau of Construction and Repair..   | 53           |
| for Bureau of Steam Engineering.....  | 53, 56       |
| for provisions.....   | 59           |
| for pay.....  | 56, 197      |



| <i>Navy—Continued.</i>   | Page.               | <i>New York,</i>   | Page.   |
|--|---------------------|--|---------|
| deficiency appropriation for fuel and transportation.....  | 43, 56              | appropriation for reimbursing, for marine school expenses.....   | 124     |
| for increase of compensation.....  | 197                 | consent of Congress to agreement between, and New Jersey creating Port of New York District and establishing Port of New York Authority..... | 174     |
| for aviation.....  | 197                 | <i>New York Authority, Port of (see Port of New York Authority).</i>   |         |
| for Bureau of Medicine and Surgery....   | 197                 | <i>New York Central Railroad Company,</i>  |         |
| for Bureau of Engineering.....   | 197                 | may bridge Grand Calumet River, Gary, Ind.....   | 325     |
| emergency appropriation for cooperation with States in protecting, against venereal diseases, 1922.....                                    | 61                  | <i>New York City, N. Y.,</i>   |         |
| Naval Reserve Force and temporary officers, eligible for retirement for disabilities incurred in time of war....                           | 140                 | appropriations for navy yard, public works. water front improvements, etc., suspended until July 1, 1922.....                                | 129     |
| applications to be filed by October 1, 1921.....   | 140                 | deficiency appropriation for quarantine station, improvements, etc.....  | 38      |
| tobacco, cigars, etc., forfeited and unsold, may be delivered free of tax to hospitals for members of.....                                 | 205                 | for aircraft mail service, San Francisco to.....   | 42      |
| <i>Navy Appropriation Act, 1922,</i>   |                     | for assay office.....  | 51, 196 |
| made available, etc., from July 1, 1921....  | 121                 | emergency appropriation for passport bureau at, 1922.....  | 61      |
| <i>Navy Department,</i>  |                     | <i>Newsprint Paper, etc.,</i>  |         |
| appropriation for Navy.....  | 122                 | commission authorized to negotiate with Canada for cancellation of its export restrictions on pulp wood, etc..                               | 169     |
| for damage claims.....   | 122                 | <i>Nez Percé Indians, Joseph's Band of,</i>  |         |
| for freight.....   | 133                 | deficiency appropriation for support, etc..  | 197     |
| deficiency appropriation for paying damage claims, collisions with naval vessels....   | 43                  | <i>"Niagara," Naval Brig,</i>  |         |
| for Navy.....  | 43, 56, 197         | appropriation for restoration and maintenance.....   | 134     |
| for freight.....   | 43, 52, 53, 56, 197 | <i>Night Schools, D. C.,</i>   |         |
| for judgments, United States courts under.....   | 50, 195             | deficiency appropriation for.....  | 30      |
| Maryland Dry Docks and Shipbuilding Company.....   | 195                 | <i>Nonbeverage Articles,</i>   |         |
| for judgments, Court of Claims under..   | 51                  | sales of, not limited by provisions of supplement to National Prohibition Act.   | 222     |
| for contingent expenses.....   | 52, 56, 197         | <i>Norfolk, Va.,</i>   |         |
| for Naval Observatory.....   | 52, 56              | appropriation for navy yard, water front improvements.....   | 129     |
| for Marine Corps.....  | 56                  | deficiency appropriation for navy yard, dry dock, construction claims.....   | 43      |
| for Hydrographic Office.....   | 197                 | <i>North Dakota,</i>   |         |
| Bureau of Aeronautics created in.....  | 140                 | easements through school lands may be granted by the State of.....   | 158     |
| facilities, equipment, etc., of, made available for uses of Veterans' Bureau..   | 150                 | mineral leases within school lands may be granted by the State; limitations...   | 159     |
| limitation for technical services Bureau of Yards and Docks, 1921, increased..   | 43                  | <i>North Dakota Judicial District,</i>   |         |
| use of naval appropriations for, restricted..  | 139                 | additional judge authorized for; to act as senior judge.....   | 66      |
| <i>Navy Yards and Stations,</i>  |                     | vacancy in office of judge senior in commission not to be filled.....  | 67      |
| appropriation for maintenance.....   | 128                 | <i>North Platte Irrigation Project, Nebr.-Wyo.,</i>  |         |
| for repairs and preservation.....  | 129                 | exchange of lands with Swan Land and Cattle Company for.....   | 147     |
| for public works.....  | 129                 | preference rights to ex-service men, prevented from former entries by conflicting entries reinstated, at next opening under.....             | 7       |
| no part of naval appropriations to be used for purchase of articles which can be made in, at less price, etc.....                          | 139                 | not allowed if receiving benefits since being prevented.....   | 7       |
| <i>Nevada,</i>   |                     | <i>Notes, etc., War Finance Corporation,</i>   |         |
| consent given to negotiations for apportioning waters of Colorado River, etc., between, and designated States....                          | 172                 | issue of, authorized; aggregate limited....  | 183     |
| agreement subject to approval of legislature and Congress.....   | 172                 | maturity; redemption; interest.....  | 183     |
| <i>New Jersey,</i>   |                     | to be a first lien on all assets.....  | 183     |
| consent of Congress to agreement between New York and, creating Port of New York District and establishing Port of New York authority..... | 174                 | for payment of advances, or for sale....   | 183     |
| <i>New Mexico,</i>   |                     | may be accepted as collateral for discounts by reserve banks.....  | 184     |
| deficiency appropriation for support, etc., of Indians in.....   | 53, 57              | <i>Notes, Promissory,</i>  |         |
| consent given to negotiations for apportioning waters of Colorado River, etc., between, and designated States....                          | 172                 | stamp tax on; exception.....   | 305     |
| agreement subject to approval of legislature and Congress.....   | 172                 | <i>Nurse Corps, Army,</i>  |         |
| <i>New Orleans, Battle of,</i>   |                     | appropriation for nurses.....  | 75      |
| investigation, etc., directed of establishing a military park on plains of Chalmette, the site of, in 1815.....                            | 221                 | for hospital matrons.....  | 75      |
| <i>New Orleans, La.,</i>   |                     | for commutation of quarters, etc.....  | 75      |
| emergency appropriation for passport bureau at, 1922.....  | 61                  |  |         |

# INDEX.

lvii

|   |         |   |                 |
|---|---------|---|-----------------|
| <i>Nurse Corps, Navy (female),</i><br>appropriation for commutation of quarters,<br>etc.....  | 131     | <i>Oils,</i><br>temporary duty on coconut.....  | 10              |
| for pay, etc.....   | 131     | cottonseed.....   | 10              |
| <b>O.</b>   |         | olive.....  | 10              |
| <i>Oakville, Calif.,</i><br>deficiency appropriation for purchase of ex-<br>periment vineyard near.....   | 46      | peanut.....   | 10              |
| <i>Oats (see also Future Trading Act),</i><br>provisions governing contracts for future<br>delivery of.....   | 187     | soya bean.....  | 10              |
| <i>Ocean and Lake Surveys, Navy,</i><br>appropriation for hydrographic.....   | 125     | <i>Oklahoma Western Judicial District,</i><br>deficiency appropriation for marshal's ex-<br>penses.....   | 194             |
| <i>Officers, Army,</i><br>appropriation for pay of.....   | 73      | <i>Old Trail's Bridge Company,</i><br>may bridge Missouri River, Boonville, Mo. ....  | 173             |
| for pay of National Guard.....  | 73      | <i>Olive Oil,</i><br>temporary duty on.....   | 10              |
| for pay of Officers' Reserve Corps.....   | 73      | <i>Olives,</i><br>temporary duty on.....  | 11              |
| for longevity pay.....  | 74      | <i>Olympic National Forest, Wash.,</i><br>deficiency appropriation for emergency<br>expenses, from unexpended balance.....                          | 46              |
| for retired.....  | 74      | <i>Omaha, Nebr.,</i><br>special canceling stamp of "International<br>Aero Congress, etc.," authorized for<br>post office at.....                    | 207             |
| for retired, on active duty.....  | 74      | <i>Onions,</i><br>temporary duty on.....  | 9               |
| for commutation of quarters, etc.....   | 75      | <i>Opera Glasses,</i><br>excise tax on sales of, by dealers.....  | 293             |
| for mileage.....  | 75      | <i>Opera Houses,</i><br>internal revenue tax on admissions to.....  | 290             |
| for ten per cent increase of pay, foreign<br>service.....   | 76      | <i>Operating Force, Public Buildings,</i><br>deficiency appropriation for.....  | 38              |
| for additional pay to, furnishing their<br>own mounts.....  | 76      | <i>Operating Supplies, Public Buildings,</i><br>deficiency appropriation for.....   | 38, 51, 56, 196 |
| deficiency appropriation for disposition of<br>remains of.....  | 52, 197 | <i>Opinions of the Attorney General,</i><br>deficiency appropriations for preparing<br>supplemental digest of Vols. 26 to 32.....                   | 40              |
| for mileage.....  | 196     | <i>Opium, etc., (see also Narcotics),</i><br>deficiency appropriation for expenses, re-<br>stricting sale, etc., of.....                            | 37, 51          |
| <i>Officers, Marine Corps,</i><br>appropriation for pay, active and reserve..   | 136     | restrictions on trading, etc., in.....  | 298             |
| for retired.....  | 136     | stamp tax on, compounds, etc.....   | 299             |
| for mileage, without troops.....  | 136     | preparations, etc., of, not affected.....   | 300             |
| for commutation of quarters.....  | 136     | <i>Ordnance and Ordnance Stores, Navy,</i><br>appropriation for procuring, etc.....   | 127             |
| <i>Officers, Navy,</i><br>appropriation for pay, active list.....   | 131     | <i>Ordnance Department, Army,</i><br>appropriations for current expenses, etc...<br>material to be of American manufac-<br>ture; exception.....     | 90              |
| for pay of retired.....   | 131     | for airplane bombs; ammunition for small<br>arms, etc.....  | 90              |
| for commutation of quarters.....  | 131     | for firing morning and evening gun.....   | 90              |
| for hire of quarters ashore.....  | 131     | for ammunition for small arms target<br>practice; medals, etc.....  | 91              |
| for death allowances.....   | 132     | for manufacture, etc., of arms at armories  | 91              |
| temporary, and of Naval Reserve Force,<br>eligible for retirement for disabili-<br>ties incurred in time of war.....                                  | 140     | for ordnance stores and supplies.....   | 91              |
| applications to be filed by October 1,<br>1921.....   | 140     | for national trophy, etc., rifle contests...  | 91              |
| <i>Officers' Reserve Corps, Army,</i><br>appropriation for pay; limitation, on ac-<br>tive duty.....  | 73      | for automatic machine rifles.....   | 91              |
| detailed to War Department General<br>Staff.....  | 73      | for purchase, manufacture, etc. of tanks,<br>etc.....   | 91              |
| during instruction at service schools..   | 73      | for arms, etc., for civilian practice at<br>rifle ranges.....   | 93              |
| as instructors at civilian training<br>camps.....   | 73      | for arms, etc., civilian target practice....  | 93              |
| detailed to Air Service units.....  | 73      | for arms, equipment, etc., to units of<br>Reserve Officers' Training Corps....  | 93              |
| three in Judge Advocate General's<br>Department.....  | 74      | deficiency appropriation for ordnance serv-<br>ice.....   | 52, 196         |
| one, of Medical Reserve Corps.....  | 74      | for stores and supplies.....  | 52, 196         |
| for mileage, on active duty.....  | 75      | for ammunition.....   | 52              |
| <i>Ogden Arsenal, Utah,</i><br>allowance for developing water supply for,<br>from appropriation for ammunition<br>storage facilities, etc., 1921..... | 63      | for replacing ordnance, etc.....  | 52              |
| amount for rights of way, etc.....  | 63      | allowance for developing water supply,<br>Ogden Arsenal, Utah, 1922, from<br>appropriation for ammunition stor-<br>age, etc., facilities, 1921..... | 63              |
| <i>Ohio River,</i><br>bridge authorized across, Huntington,<br>W. Va.....   | 171     |   |                 |
| Ironton, Ohio.....  | 4       |   |                 |
| <i>Oil City, Pa.,</i><br>bridge authorized across Allegheny River<br>at.....  | 104     |   |                 |

|  |             |  |       |
|--|-------------|--|-------|
| <i>Ordnance Stores, etc., Army,</i>            |             | <i>Packers and Stockyards Act, 1921—Continued.</i> |       |
| appropriation for airplane bombs, ammu-        | Page.       | orders issued conclusive, unless appeal            | Page. |
| nition, etc.....                               | 90          | filed in circuit court of appeals.....             | 162   |
| for preserving, etc.....                       | 91          | record, etc., to be certified to court.....        | 162   |
| for purchase, etc., for issue.....             | 91          | amendment allowed before transcript                |       |
| deficiency appropriation for.....              | 52, 196     | filed.....   | 162   |
| <i>Oregon and California Railroad Company,</i> |             | temporary restraining injunction pend-             |       |
| deficiency appropriation for protecting,       |             | ing final determination.....                       | 162   |
| etc., reverted lands.....                      | 44          | evidence admitted; expedition of pro-              |       |
| <i>Organic Drugs or Chemicals, Synthetic,</i>  |             | ceedings directed.....                             | 162   |
| entry, etc., of, forbidden for three months..  | 18          | authority of court to affirm, modify or            |       |
| limited admission allowed, if no satis-        |             | set aside action of Secretary.....                 | 162   |
| factory substitute obtainable, etc..           | 18          | order reopening of hearing; modifica-              |       |
| continued until otherwise provided by          |             | tion of findings, etc.....                         | 162   |
| Law.....                                       | 220         | decree to operate as an injunction.....            | 162   |
| <i>Outfits, Navy First Enlistments,</i>        |             | exclusive jurisdiction of court.....               | 162   |
| deficiency appropriation for.....              | 52, 56, 197 | decree final.....                                  | 162   |
| value of, to be charged to clothing and        |             | review upon certiorari of Supreme                  |       |
| small stores fund.....                         | 133         | Court.....   | 162   |
| <i>Ozark Forest Road, Ariz.,</i>               |             | jurisdiction of District of Columbia               |       |
| deficiency appropriation for advertising       |             | court of appeals.....                              | 163   |
| bids for machinery.....                        | 45          | punishment for not obeying order of Sec-           |       |
| <b>P.</b>                                      |             | retary.....  | 163   |
| <i>Packers and Stockyards Act, 1921.</i>       |             | if no appeal filed.....                            | 163   |
| deficiency appropriation for enforcing.....    | 194         | if writ of certiorari not applied for.....         | 163   |
| title of Act.....                              | 159         | penalty if order sustained by court.....           | 163   |
| definition of terms used; "person".....        | 159         | stockyards provisions.....                         | 163   |
| "Secretary".....                               | 159         | definition of terms; "stockyard owner".....        | 163   |
| "meat food products".....                      | 159         | "stockyard services".....                          | 163   |
| "live stock," including horses, mules          |             | "market agency".....                               | 163   |
| and goats.....                                 | 160         | "dealer," other than market agency.....            | 163   |
| "live-stock products," all other than          |             | "stockyard," public character, use, etc.,          |       |
| meats and meat products.....                   | 160         | described.....                                     | 163   |
| "commerce".....                                | 160         | not applicable to small designated                 |       |
| transactions considered as of articles in      |             | areas.....   | 163   |
| interstate commerce.....                       | 160         | public notice to be posted, etc., of places        |       |
| packers are persons buying live stock for      |             | affected.....                                      | 163   |
| slaughter.....                                 | 160         | subject to provisions hereof until notice          |       |
| preparing meats, etc., for sale.....           | 160         | revoked.....                                       | 163   |
| manufacturing live-stock products or           |             | market agency or dealer at stockyard pro-          |       |
| marketing meats, live-stock prod-              |             | hibited business unless name, etc.,                |       |
| ucts, etc.....                                 | 160         | registered.....                                    | 163   |
| if also buying live stock, preparing           |             | penalty for violation; recovery by civil           |       |
| meats, etc.....                                | 160         | action.....  | 164   |
| controlling such business.....                 | 160         | stockyard services to be furnished without         |       |
| if business is controlled by live stock        |             | discrimination, etc.....                           | 164   |
| dealer or preparer of meats, etc.....          | 160         | rates, charges, etc., to be just, etc.; un-        |       |
| if controlling 20 per cent thereof, as         |             | lawful if otherwise.....                           | 164   |
| well as of live stock dealer or meat           |             | owners and market agencies to file sched-          |       |
| producer.....                                  | 160         | ules of all rates and charges.....                 | 164   |
| unlawful acts of packers; unfair or decep-     |             | schedules to be filed before furnishing            |       |
| tive practices.....                            | 161         | services.....                                      | 164   |
| giving undue preference to persons or          |             | details required in.....                           | 164   |
| localities.....                                | 161         | form, manner, etc., to be prescribed...            | 164   |
| apportioning supply among packers in           |             | notice to be given of proposed changes             |       |
| restraint of commerce.....                     | 161         | in.....  | 164   |
| manipulating prices, creating monopoly,        |             | modification permitted.....                        | 164   |
| etc.....                                       | 161         | rejected, void, and use unlawful.....              | 164   |
| aiding such manipulating, etc.....             | 161         | hearings on proposed new rates, etc.....           | 164   |
| conspiring to apportion territory or sales,    |             | suspension pending decision.....                   | 164   |
| etc., or control prices.....                   | 161         | issue of order after full hearing.....             | 164   |
| conspiring with others in designated           |             | extension of suspension if hearing not             |       |
| unlawful acts.....                             | 161         | completed.....                                     | 165   |
| notice to be served on packer of suspected     |             | changes allowed if hearing not then                |       |
| violations.....                                | 161         | completed.....                                     | 165   |
| hearings; intervenors permitted.....           | 161         | business not permitted unless rates and            |       |
| amending complaints; adjournment if            |             | charges for services are filed.....                | 165   |
| new charges added.....                         | 161         | if charges are different from schedules...         | 165   |
| report in writing, and order to cease vio-     |             | if rates, etc., are refunded.....                  | 165   |
| lation to be issued.....                       | 161         | by cooperative associations of pro-                |       |
| preservation of testimony.....                 | 161         | ducers, excepted.....                              | 165   |
| amendment, etc., before record filed           |             | if other than specified services are ex-           |       |
| in court of appeals.....                       | 162         | tended.....  | 165   |
| service of process, etc.....                   | 162         | penalty for noncompliance with orders,             |       |
|  |             | etc.; recovery.....                                | 165   |
|  |             | punishment for willful violations.....             | 165   |

| <i>Packers and Stockyards Act, 1921—Continued.</i>   | Page. | <i>Packers and Stockyards Act, 1921—Continued.</i>  | Page. |
|--|-------|---|-------|
| stockyard services to be just, reasonable, and nondiscriminatory.....  | 165   | powers, etc., of Interstate Commerce Commission not affected, etc.....  | 169   |
| unjust, etc., prohibited.....  | 165   | Federal Trade Commission to have no jurisdiction over matters covered hereby.....   | 169   |
| liability of owners, etc., for damages to persons injured by violations.....                                   | 165   | pending cases excepted.....   | 169   |
| enforcement by complaint to Secretary.....   | 165   | investigations to be made by, at request of Secretary.....  | 169   |
| suit in district court.....  | 165   | Secretary to make rules, etc., for execution of act.....  | 169   |
| common-law remedies not abridged.....  | 165   | cooperate with other departments, State agencies, etc.....  | 169   |
| complaints of violations hereof by stockyard owners, etc., to be filed with Secretary.....                     | 165   | appoint employees, etc., control expenses, etc.....   | 169   |
| defendant to be called upon to answer..  | 165   | appropriations authorized for.....  | 169   |
| relieved of liability on making reparation.....  | 165   | invalidity of any provision, etc., not to affect remainder of Act.....  | 169   |
| investigation if satisfaction not made, etc.....   | 165   | <i>Paddy,</i>   |       |
| at request of State agencies, etc.....   | 166   | temporary duty on.....  | 10    |
| by Secretary on his own motion.....  | 166   | " <i>Pageant of Progress Exposition, Chicago, July 30 to August 14, 1921,</i> "   |       |
| not dismissed by absence of direct damage award to complainant after hearing.....                              | 166   | special canceling stamps allowed Chicago post office for.....   | 3     |
| suit authorized on failure to pay.....   | 166   | <i>Pages,</i>   |       |
| procedure, etc.; allowance of attorney's fee.....  | 166   | appropriation for House of Representatives. for Senate.....   | 2     |
| authority of Secretary when rates, etc., are deemed unjust, etc.....   | 166   | <i>Paintings,</i>   |       |
| to prescribe rates, etc., to be followed... to order owner, etc., to cease from violations.....                | 166   | excise tax on, sold by other than the artist; exceptions.....   | 292   |
| to charge no other rate hereafter.....   | 166   | <i>Pan American Postal Congress,</i>  |       |
| to conform to regulations, etc.....  | 167   | two delegates to be appointed to..... appropriation for expenses.....   | 145   |
| rates, etc., authorized for live stock not in commerce.....  | 167   | <i>Panama Canal,</i>  |       |
| when practices discriminate for intrastate against interstate commerce, etc.....                               | 167   | deficiency appropriation for relief and protection of American seamen in.....   | 35    |
| to be observed irrespective of State laws, etc.....  | 167   | <i>Panama, Panama,</i>  |       |
| unfair practices, etc., in connection with live stock at stockyards unlawful...                                | 167   | deficiency appropriation for exposition...  | 198   |
| order to cease from violations to be issued after hearings.....  | 167   | <i>Papago Indian Villages, Ariz.,</i>   |       |
| taking effect of orders of Secretary other than for payment of money.....                                      | 167   | deficiency appropriation for waterworks, 1920.....  | 45    |
| penalty for failure of stockyard owners, etc., to obey orders.....   | 167   | for water supply, 1920.....   | 45    |
| recovery; prosecution by district attorneys.....   | 167   | <i>Paper, Distinctive,</i>  |       |
| district courts to enforce orders other than for payment of money.....   | 167   | deficiency appropriation for purchase, United States securities, etc.....   | 39    |
| writ of injunction or other process authorized.....  | 167   | <i>Paper, Printing,</i>   |       |
| provisions for suspending orders of Interstate Commerce Commission made applicable to orders of Secretary..... | 168   | commission authorized to negotiate with Canada for removal of export restrictions on, composed of pulp-wood products..... | 169   |
| accounts, etc., to be kept by stockyard owners, etc.....   | 168   | <i>Parramore Post, American Legion,</i>   |       |
| forms, etc., may be prescribed to disclose transactions.....   | 168   | may erect memorial on public building site, Abilene, Tex., to soldiers and sailors of World War of Taylor County.....     | 199   |
| punishment for noncompliance with orders for.....  | 168   | <i>Partnerships,</i>  |       |
| enforcement powers of Federal Trade Commission made applicable hereto.....                                     | 168   | members of, taxable only on their individual income.....  | 245   |
| agents for prosecution of inquiries to be designated.....  | 168   | <i>Passage Tickets, Foreign Steamer,</i>  |       |
| principals made responsible for acts of agents, etc.....   | 168   | stamp tax on; Canada and Mexico excepted costing less than \$10, exempt.....  | 305   |
| violations to be reported to Attorney General for prosecution, etc.....  | 168   | <i>Passengers,</i>  |       |
| laws not affected hereby; antitrust acts... interstate commerce act.....                                       | 169   | refund of tax paid on unused railroad, etc., tickets of.....  | 284   |
| export trade act.....  | 169   | <i>Passport Bureaus,</i>  |       |
| antitrust application to imports.....  | 169   | emergency appropriation for, in designated cities, 1922.....  | 61    |
| alter, repeal, etc., of same.....  | 169   | <i>Passport Control,</i>  |       |
| pending investigations, etc., under, not interfered with.....  | 169   | provisions relating to, not affected by declaration terminating the World War..   | 107   |
|  |       | <i>Patent Office Gazette,</i>   |       |
|  |       | deficiency appropriation for printing and binding.....  | 50    |
|  |       | <i>Patent Office, Interior Department,</i>  |       |
|  |       | deficiency appropriation for furniture and file cases, available 1922.....  | 44    |

|  | Page.       |  | Page.   |
|--|-------------|--|---------|
| <i>Patent Office, Interior Department—Contd.</i> |             | <i>Pearl River,</i>                          |         |
| deficiency appropriation for printing            |             | bridge authorized across, between Meeks      |         |
| weekly issues of patents, etc.....               | 50          | Ferry and Griggs Ferry, Miss.....            | 219     |
| for public use of inventions, etc.....           | 56          | <i>Pearl River Valley Lumber Company,</i>    |         |
| for scientific library.....                      | 197         | may bridge Pearl River, between Meeks        |         |
| <i>Pawnbrokers,</i>                              |             | Ferry and Grigsbys Ferry, Miss.....          | 219     |
| special tax imposed on; business defined..       | 295         | <i>Pearls,</i>                               |         |
| <i>Pawnee Indians, Okla.,</i>                    |             | excise tax on sales of, by dealers.....      | 293     |
| deficiency appropriation for schools, etc..      | 57          | <i>Peay, Gordon N., jr.,</i>                 |         |
| <i>Pay, Army,</i>                                |             | time extended for bridging White River,      |         |
| appropriation for officers of the line and       |             | Des Arc, Ark., by.....                       | 323     |
| staff.....                                       | 73          | <i>Pembina County, N. Dak.,</i>              |         |
| for National Guard officers.....                 | 73          | time extended for bridging Red River of the  |         |
| for Officers' Reserve Corps.....                 | 73          | North, Pembina, N. Dak., by Kitt-            |         |
| limitations for active duty; excep-              |             | son, County, Minn., and.....                 | 19      |
| tions.....                                       | 73          | <i>Pembina, N. Dak.,</i>                     |         |
| for Medical Reserve Corps from War               |             | time extended for bridging Red River of      |         |
| Risk allotments when serving patients            |             | the North at.....                            | 19      |
| thereof at Army hospitals.....                   | 74          | <i>Penal Bonds,</i>                          |         |
| for warrant officers.....                        | 74          | acceptance of Federal bonds or notes as,     |         |
| for aviation increase, Air Service officers.     | 74          | authorized.....                              | 318     |
| for longevity.....                               | 74          | in lieu of personal or corporate, etc.,      |         |
| for longevity, officers.....                     | 74          | sureties.....                                | 318     |
| for enlisted men of the line and staff.....      | 74          | to be deposited with the Treasurer, Fed-     |         |
| for enlisted men, National Guard.....            | 74          | eral reserve bank, etc.....                  | 318     |
| for Enlisted Reserve Corps.....                  | 74          | return when obligation performed.....        | 318     |
| for aviation increase, Air Service, en-          |             | to be withheld from contractor for war       |         |
| listed men.....                                  | 74          | supplies, etc., to secure subcon-            |         |
| for enlisted men, Philippine Scouts....          | 74          | tractor.....                                 | 318     |
| for enlisted men, longevity.....                 | 74          | priority of United States not affected...    | 318     |
| for retired officers, etc.....                   | 74          | inconsistent laws modified accordingly..     | 318     |
| for retired enlisted men, etc.....               | 74          | enforcement regulations to be prescribed..   | 318     |
| deficiency appropriation for.....                | 52, 56, 196 | <i>Pend d'Oreille River,</i>                 |         |
| claims of officers, etc., for services in World  |             | bridge authorized across, in Bonner County,  |         |
| War April 6, 1917 to June 30, 1919, to           |             | Idaho.....                                   | 171     |
| be paid from appropriation for pay,              |             | <i>Penitentiaries, United States,</i>        |         |
| etc., 1919.....                                  | 76          | deficiency appropriation for maintenance,    |         |
| <i>Pay Clerks, Army,</i>                         |             | Atlanta, Ga.....                             | 41, 194 |
| appropriation for retired.....                   | 74          | for construction, Atlanta, Ga.....           | 194     |
| <i>Pay, Marine Corps,</i>                        |             | for construction, Leavenworth, Kans....      | 194     |
| appropriation for.....                           | 136         | for construction, McNeil Island, Wash..      | 194     |
| deficiency appropriation for.....                | 52, 56, 197 | <i>Pennsylvania,</i>                         |         |
| <i>Pay, Navy,</i>                                |             | appropriation for reimbursing, for marine    |         |
| appropriation for miscellaneous.....             | 122         | school expenses.....                         | 124     |
| restriction on use of, in naval districts.       | 122         | boundary line reestablished by Delaware      |         |
| for, and allowances.....                         | 131         | and, consented to.....                       | 104     |
| deficiency appropriation for.....                | 52, 56, 197 | <i>Pensacola, Fla.,</i>                      |         |
| for miscellaneous.....                           | 52, 56, 197 | appropriation for naval air station, build-  |         |
| <i>Payment of Tax at Source,</i>                 |             | ings.....                                    | 123     |
| income of nonresident aliens, etc., subject      |             | <i>Pension Office, Interior Department,</i>  |         |
| to; exceptions.....                              | 248         | deficiency appropriation for expenses under  |         |
| of interest to unknown owners.....               | 248         | Employees' Retirement Act.....               | 56      |
| by corporations, etc., guaranteeing in-          |             | <i>Pensions,</i>                             |         |
| terest free from tax.....                        | 248         | deficiency appropriation for Army.....       | 197     |
| if exemption claimed by recipient, ex-           |             | <i>Personal Property, D. C.,</i>             |         |
| cepted.....                                      | 248         | punishment for fraudulently disposing,       |         |
| provisions for nonresident aliens.....           | 248         | etc., of, conditionally acquired.....        | 9       |
| returns, etc., to be made.....                   | 249         | <i>Personal Service Corporations,</i>        |         |
| tax paid by recipient to be recollected..        | 249         | additional tax on income of, for the years   |         |
| <i>Peanut Oil,</i>                               |             | 1918-1921 if law exempting, de-              |         |
| temporary duty on.....                           | 10          | clared invalid.....                          | 319     |
| <i>Peanuts,</i>                                  |             | equal to corporation income, and war         |         |
| temporary duty on.....                           | 9           | and excess profits tax.....                  | 319     |
| <i>Pearl Harbor, Hawaii,</i>                     |             | returns to be made for each year, after      |         |
| appropriation for naval air station, im-         |             | decree entered; basis.....                   | 319     |
| provements.....                                  | 123         | claims for credits or refunds to be allowed  |         |
| for naval station, public works.....             | 130         | reduction of, if claims made by less than    |         |
| for naval ammunition depot.....                  | 130         | 30 per cent of stock.....                    | 320     |
| for naval submarine base.....                    | 130         | assessment, collection, etc., as of corpora- |         |
| acquisition of private fishery rights in,        |             | tion income, and war and excess              |         |
| and adjacent to, authorized.....                 | 67          | profits taxes.....                           | 320     |
| contracts for purchases authorized.....          | 68          | limitation of interest or penalties, etc..   | 320     |
| condemnation proceedings if, not obtain-         |             |  |         |
| able; procedure.....                             | 68          |  |         |
| amount authorized for expenses.....              | 68          |  |         |

# INDEX.

lxi

| <i>Personal Service Corporations—Continued.</i>   |        | Page. | <i>Pipes,</i>   | Page.       |
|---|--------|-------|---|-------------|
| additional tax, etc.; credit allowed for tax paid by member if joint claim made by corporation and member.....                                | 320    |       | excise tax on meerschaum, etc., sold by producer, etc.....  | 292         |
| to be filed within six months from entry of decree.....   | 320    |       | <i>Pipestone, Minn.,</i>  |             |
| claims for credit and refunds not allowed unless filed within six months. not imposed if no claim filed for refund, etc., by shareholder..... | 320    |       | deficiency appropriation for Indian school.   | 57          |
| exempt from income tax until December 31, 1921.....   | 254    |       | <i>Pittsburgh Plate Glass Company,</i>  |             |
| stockholders of, taxable only on their individual incomes.....  | 245    |       | deficiency appropriation for, searchlight mirrors for Engineer Department, Army, 1919.....                      | 39          |
| provision terminates December 31, 1921.   | 246    |       | <i>Plainfield, N. J.,</i>   |             |
| <i>Peru,</i>  |        |       | part of public building site conveyed to, for public purposes; conditions, etc..                                | 211         |
| commission created to represent the United States at first centennial of independence of.....   | 67     |       | <i>Plant Industry Bureau, Department of Agriculture,</i>  |             |
| appointment by the President.....   | 67     |       | deficiency appropriation for general expenses.....  | 54, 58, 198 |
| appropriation for expenses.....   | 67     |       | for seeds, distribution, etc.....   | 54          |
| <i>Petroleum,</i>   |        |       | for stimulating agriculture, etc.....   | 58          |
| deficiency appropriation for investigations for economic production, etc.....   | 53, 57 |       | <i>Playing Cards,</i>   |             |
| <i>Petroleum Reserves, Naval (see Naval Petroleum Reserves).</i>  |        |       | stamp tax on.....   | 306         |
| <i>Philadelphia, Pa.,</i>   |        |       | <i>Pleasure Boats,</i>  |             |
| appropriation for naval home.....   | 127    |       | special tax imposed on users of.....  | 297         |
| for navy yard, dry dock.....  | 129    |       | exemption, for relief of seamen, etc.....   | 298         |
| <i>Philippine Islands,</i>  |        |       | <i>Pleasure Clubs, etc.,</i>  |             |
| appropriation for shelter of troops in.....   | 83     |       | exempt from income tax.....   | 253         |
| limit, officers' quarters.....  | 84     |       | <i>Pocketbooks,</i>   |             |
| for care of insane soldiers at asylums in.  | 88     |       | excise tax on, sold above specified price..   | 393         |
| for contingent expenses, Army Engineer Department in.....   | 89     |       | <i>Point of Rocks, Md.,</i>   |             |
| for care of lepers, etc., Cullion.....  | 124    |       | bridge authorized across Potomac River at or near.....  | 7           |
| deficiency appropriation for relief of shipwrecked American seamen in.....  | 35     |       | <i>Police Court, D. C.,</i>   |             |
| balance of appropriation for quarters, seacoast artillery, etc., in, 1921, continued for fiscal year 1922.....                                | 39     |       | deficiency appropriation for jurors.....  | 31          |
| bonded indebtedness limitation extended. amount secured by bonds of Provinces not counted.....  | 145    |       | <i>Police, D. C.,</i>   |             |
| income tax in, levied, etc., by insular officials.....  | 271    |       | deficiency appropriation for contingent expenses.....   | 33          |
| authority of legislature to amend, etc... temporary certificates of indebtedness for deposits of silver, further increased.                   | 271    |       | <i>Port,</i>  |             |
| legislative act applicable.....   | 146    |       | temporary duty on.....  | 10          |
| <i>Philippine Scouts,</i>   |        |       | <i>Port of New York Authority,</i>  |             |
| appropriation for pay of enlisted men....   | 74     |       | consent of Congress to agreement between New York and New Jersey establishing.....                              | 174         |
| for pay of retired, officers.....   | 74     |       | rights and jurisdiction of United States over region included, not affected..                                   | 180         |
| <i>Phoenix, Ariz.,</i>  |        |       | <i>Port of New York District (see also Port of New York Authority),</i>   |             |
| deficiency appropriation for Indian school at.....  | 45     |       | consent of Congress to creation of.....   | 174         |
| lands granted to, for municipal purposes; price, etc.....   | 143    |       | <i>Portland, Oreg.,</i>   |             |
| mineral, etc., deposits reserved.....   | 143    |       | foreign nations invited to participation in exposition at, in 1925.....   | 158         |
| report of use of grant; forfeited if terms not complied with.....   | 143    |       | no expense authorized.....  | 158         |
| <i>Photographic Films and Plates,</i>   |        |       | <i>Porto Rico,</i>  |             |
| excise tax on, other than moving picture films, sold by producer.....   | 292    |       | deficiency appropriation for relief of shipwrecked American seamen in.....                                      | 35          |
| <i>Pierre, S. Dak.,</i>   |        |       | exchange of lands for radio station in, authorized.....   | 139         |
| deficiency appropriation for Indian school.   | 57     |       | right reserved for use in time of war.....  | 140         |
| <i>Pink Bollworm of Cotton,</i>   |        |       | income tax in, levied, etc., by insular officials.....  | 271         |
| deficiency appropriation for expenses preventing spread of.....   | 54     |       | authority of insular legislatures to amend, etc.....  | 271         |
| reimbursement to States from appropriation for eradicating, to pay losses of farmers for nonproduction in infested areas.....                 | 158    |       | <i>Porto Rico Regiment of Infantry,</i>   |             |
|   |        |       | appropriation for care of insane soldiers of.   | 88          |
|   |        |       | <i>Portsmouth, N. H.,</i>   |             |
|   |        |       | deficiency appropriation for naval hospital, advertising.....   | 43          |
|   |        |       | <i>Possessions of the United States,</i>  |             |
|   |        |       | citizens of, not residents or citizens of United States, taxable only on income from United States sources..... | 270         |
|   |        |       | gross income of citizens or domestic corporations deemed from United States sources.....                        | 271         |

|   |                 |   |              |
|---|-----------------|---|--------------|
| <i>Possessions of the United States—Continued.</i>  | <i>Page.</i>    | <i>Postal Service—Continued.</i>  | <i>Page.</i> |
| gross income of citizens, etc., deemed of United States sources if 80 per cent of income for three preceding years derived from sources within the possessions..... | 271             | deficiency appropriation, etc.....  | 42           |
| and 50 per cent of the corporation's income from active business therein....  | 271             | for clerks, first and second class offices..  | 55, 199      |
| or 50 per cent of the citizen's income from active business therein.....  | 271             | for rural delivery.....   | 55, 199      |
| to include all amounts of, whether from sources within or without the United States.....  | 271             | for star routes.....  | 55, 59       |
| Virgin Islands not included in.....   | 271             | for city delivery, car fare and bicycles..  | 55           |
| <i>Post Allowances to Consular and Diplomatic Officers,</i>   |                 | for messenger service.....  | 55           |
| deficiency appropriation for .....  | 53              | for separating mails, third and fourth class offices.....   | 55           |
| <i>Post Office Department,</i>  |                 | for rent, light, and fuel.....  | 55, 59, 199  |
| deficiency appropriation for contingent expenses, heating, lighting, etc., plant.....   | 42              | for contract station clerks.....  | 55           |
| for miscellaneous items.....  | 42              | for postmasters.....  | 55, 59, 199  |
| for reimbursing Government Printing Office for heat and power to post office, etc., D. C.....   | 42              | for unusual conditions.....   | 55, 59       |
| for postal service.....   | 42, 55, 59, 199 | for shipment of supplies.....   | 55           |
| for printing and binding for.....   | 50              | for freight on stamped paper and mail bags.....   | 55, 199      |
| expenses of sale, etc., of war savings and thrift stamps in, payable from expenses of loans 1922.....   | 36              | for indemnities, domestic and international mail.....   | 59           |
| <i>Post Offices,</i>  |                 | for shipping supplies.....  | 59           |
| deficiency appropriation for city delivery, equipment.....  | 55              | for clerks, third class offices.....  | 59           |
| for city delivery; carriers.....  | 55, 199         | for indemnities, domestic mail.....   | 199          |
| for miscellaneous, first and second class..   | 55              | for star routes.....  | 199          |
| for temporary clerk hire.....   | 55              | for electric and cable car service.....   | 199          |
| for clerks, etc., first and second class offices.....   | 55, 199         | for power, light, etc.....  | 199          |
| for city delivery, car fare, etc.....   | 55              | administrative examination of vouchers and accounts of, vested in Bureau of Accounts, Post Office Department..... | 24           |
| for separating mails, third and fourth class offices.....   | 55              | damages to persons or property by operations of, to be adjusted by Postmaster General.....                        | 63           |
| for rent, light, and fuel.....  | 55, 59, 199     | limitation of amounts.....  | 63           |
| for contract station clerks.....  | 55              | emergency appropriation for, 1922.....  | 63           |
| for unusual conditions.....   | 55, 59          | minimum pay of fourth class postmasters modified.....   | 144          |
| for clerks, third class offices.....  | 59              | special clerks authorized for meritorious services.....   | 144          |
| for electric power, light, etc.....   | 199             | designated clerks assigned to fifth grade July 1, 1920, given status of.....                                      | 144          |
| special clerks authorized in first-class offices, for meritorious service.....  | 144             | demotion of, allowed only for cause.....  | 144          |
| designated clerks in first-class offices assigned to fifth grade July 1, 1920, given status of.....   | 144             | clerks and carriers allowed credit for service as substitutes.....  | 144          |
| demotion of, except for cause, forbidden.....   | 144             | minimum pay of foremen.....   | 144          |
| <i>Post Roads, Rural (see Federal Highway Act).</i>   |                 | assistant superintendents of mails at designated offices.....   | 145          |
| <i>Postal Congress, Pan American,</i>   |                 | assistant postmasters, second class offices.....  | 145          |
| two delegates to be appointed to.....   | 145             | clerks and carriers to be given overtime pay for Sunday service June, 1920..                                      | 145          |
| <i>Postal Service,</i>  |                 | retired employees now in postal service to receive former service pay.....  | 145          |
| deficiency appropriation for vehicle allowance.....   | 42              | restriction on promoting supervisory officials repealed.....  | 145          |
| for aeroplane service New York to San Francisco.....  | 42              | two delegates to Pan American Postal Congress authorized.....   | 145          |
| for canceling machines, labor saving devices, etc.....  | 42, 55          | appropriation for expenses.....   | 145          |
| for special delivery fees.....  | 42, 55          | special canceling stamps authorized for Birmingham semicentennial at Birmingham, Ala., post office.....           | 186          |
| for railroad routes.....  | 55, 59, 199     | "International Aero Congress, etc.," for post office, Omaha, Nebr.....  | 207          |
| for indemnities, international mail.....  | 55, 199         | "Pageant of Progress Exposition, Chicago," etc., for Chicago post office..  | 3            |
| for city delivery.....  | 55, 199         | "Public Health Exposition, etc.," for post office, Cincinnati, Ohio.....  | 203          |
| for Railway Mail Service, miscellaneous.....  | 55              | "Visit the Dunes, etc.," for post office, Michigan City, Ind.....   | 202          |
| for village delivery.....   | 55              | <i>Postmaster General,</i>  |              |
| for city delivery, temporary carriers.....  | 55              | authorized to appoint two delegates to Pan American Postal Congress.....  | 145          |
| for Railway Mail Service.....   | 55, 59, 199     | receive premiums on Government insurance policies.....  | 157          |
| for rewards.....  | 55              | may issue special money order form for transmitting.....  | 157          |
| for miscellaneous, first and second class offices.....  | 55              | applications for reinstatement of lapsed, or converted insurance.....   | 157          |
| for censorship of foreign mails.....  | 55              |   |              |
| for temporary clerk hire.....   | 55              |   |              |

| <i>Postmaster General—Continued.</i>   | Page.   | <i>President of the United States—Continued.</i>   | Page.                |
|--|---------|--|----------------------|
| damages to persons or property by operation of postal service to be adjusted and paid by.....  | 63      | authority of, over landing and operating submarine cables.....   | 8                    |
| limitation of amounts.....   | 63      | Chief of Bureau of Aeronautics, Navy Department, to be appointed by; tenure, rank, etc.....                          | 140                  |
| emergency appropriation for, 1922.....   | 63      | duties of, under Budget and Accounting Act, 1921.....  | 20                   |
| <i>Postmasters,</i>  |         | alternative budget for fiscal year 1923 only, to be transmitted.....   | 21                   |
| deficiency appropriation for compensation  | 55,     | Veterans' Bureau established under; appointment of Director.....   | 147                  |
|  | 59, 199 | <i>Printing and Stationery Division, Treasury Department,</i>  |                      |
| internal revenue stamps to be sold by; accounting, etc.....  | 303     | emergency appropriation for additional employees, 1922.....  | 61                   |
| minimum pay of assistant, at second class offices, modified.....   | 145     | <i>Prisoners, D. C.,</i>   |                      |
| of fourth class, modified.....   | 144     | deficiency appropriation for support of jail, etc.....   | 33                   |
| <i>Potatoes,</i>   |         | <i>Prisoners of War, etc.,</i>   |                      |
| temporary duty on.....   | 9       | appropriation for expenses, etc., under Navy Department.....   | 123                  |
| <i>Potomac River,</i>  |         | deficiency appropriation for relief of Americans and, in Germany.....  | 198                  |
| bridge authorized across, Point of Rocks, Md.....  | 7       | <i>Prisoners, United States Courts,</i>  |                      |
| <i>Poultry, Poultry Products and Eggs (see Packers and Stockyards Act).</i>  |         | deficiency appropriation for support, etc., of.....  | 41, 55, 59, 194, 199 |
| <i>Power Boats,</i>  |         | <i>Private Dwellings,</i>  |                      |
| special tax on users of, not for business, etc.  | 297     | prohibition enforcement officers, etc., forbidden to search, etc., without a warrant therefor.....                   | 223                  |
| <i>Powers of Attorney,</i>   |         | punishment for violating.....  | 223                  |
| stamp tax on; exceptions.....  | 306     | <i>Private Land Claims,</i>  |                      |
| <i>Precious and Semiprecious Stones,</i>   |         | settlers evicted from, Boca Float No. 3, Arizona, may select twice the area lost.....                                | 107                  |
| excise tax on sales of, by dealers.....  | 293     | <i>Produce Exchanges,</i>  |                      |
| <i>Precious Metals, etc.,</i>  |         | stamp tax on sales of produce at, for future delivery.....   | 304                  |
| excise tax on sales by dealers, of articles of, or mounted with.....   | 293     | cash sales for immediate delivery exempt.....  | 305                  |
| surgical instruments, eyeglasses, and spectacles, excepted.....  | 293     | <i>Producers of Agricultural Products,</i>   |                      |
| <i>President of the United States,</i>   |         | advances to associations of, by War Finance Corporation, to assist in carrying accumulated surplus, until exported.. | 181                  |
| deficiency appropriation for expenses, national security and defense under.  | 53,     | <i>Prohibition Act, National,</i>  |                      |
|  | 58, 198 | deficiency appropriation for expenses of Internal Revenue Bureau in enforcing.....                                   | 37                   |
| for expenses of Conference on Limitation of Armament.....  | 192     | <i>Prohibition of Intoxicating Liquors (see National Prohibition Act).</i>   |                      |
| authorized to appoint commission to negotiate with Canada, on pulp wood, newsprint paper, etc., export restrictions.....   | 169     | <i>Promissory Notes,</i>   |                      |
| commission to the centennial celebration of the Independence of Peru... commissioner general and five commissioners to Rio de Janeiro, Brazil, Exposition.....                                     | 67      | stamp tax on.....  | 305                  |
| representative of the Executive to cooperate with Joint Committee on Reorganization.....   | 209     | secured by Liberty bonds, etc., exempt.  | 305                  |
| representative to participate in apportioning waters of Colorado River, etc., among designated States.....   | 3       | <i>Property Insurance Policies,</i>  |                      |
| bestow medal of honor and distinguished service cross upon body of unknown unidentified American soldier to be buried in Arlington Memorial Amphitheater, Va.....                                  | 172     | stamp tax on, issued by foreign corporation, etc., not signed by agent in United States.....                         | 306                  |
| medal of honor upon unknown unidentified Italian soldier in Victor Emanuel National Monument, Rome, Italy.....   | 191     | <i>Property Title Holding Corporations,</i>  |                      |
| declare November 11, 1921, a holiday, in respect for the memory of lives lost in the World War, typified by burial of unknown American soldier buried that day at Arlington National Cemetery..... | 204     | acting as trustees for exempted organizations, exempt from income tax.....   | 253                  |
| invite foreign nations to participate in exposition at Portland, Oreg., in 1925.....   | 211     | <i>Proving Grounds, Army Ordnance,</i>   |                      |
| Great Britain and Japan to a conference on agreeing to substantially reduce naval expenditures, etc., mutually during the next five years.   | 158     | deficiency appropriation for.....  | 197                  |
|  | 141     | <i>Provisions, Marine Corps,</i>   |                      |
|  |         | appropriation for.....   | 137                  |
|  |         | <i>Provisions, Navy,</i>   |                      |
|  |         | appropriation for.....   | 132                  |
|  |         | deficiency appropriation for.....  | 53, 197              |
|  |         | <i>Proxies,</i>  |                      |
|  |         | stamp tax on; exceptions.....  | 306                  |
|  |         | <i>Public Accounts,</i>  |                      |
|  |         | adjustment and settlement of all, vested in General Accounting Office.....   | 24                   |



|   | Page.           |   | Page.   |
|---|-----------------|---|---------|
| <i>Public Buildings,</i>  |                 | <i>Public Health Service, Department of the Treasury—Continued.</i>   |         |
| deficiency appropriation for New York, N. Y., quarantine station.....   | 38              | facilities, equipment, etc., of, made available for uses of Veterans' Bureau....  | 150     |
| for Baltimore, Md., quarantine station..  | 38              | <i>Public Health Service, Surgeon General of,</i>   |         |
| for Boston, Mass., quarantine station....   | 38              | to serve on Board of Maternity and Infancy Hygiene.....   | 224     |
| for operating force.....  | 38              | <i>Public Information, Committee on,</i>  |         |
| for general expenses.....   | 38, 52, 196     | deficiency appropriation for salaries and expenses.....   | 198     |
| for furniture and repairs.....  | 38, 51, 196     | <i>Public Lands,</i>  |         |
| for Birmingham, Ala.....  | 38              | deficiency appropriation for protection of Oregon and California railroad lands.....  | 44      |
| for Columbia, S. C.....   | 38              | Cocos Bay Wagon Road lands.....   | 44      |
| for Honolulu, Hawaii.....   | 38              | for protecting, etc.....  | 53, 197 |
| for Billings, Mont.....   | 38              | for surveying.....  | 53, 197 |
| for operating supplies.....   | 38, 51, 56, 196 | for contingent expenses, land offices....   | 197     |
| for repairs and preservation.....   | 52, 196         | for surveyors general, etc.....   | 197     |
| for mechanical equipment.....   | 52, 56, 196     | annual mining assessment periods to commence from July 1 hereafter.....   | 186     |
| emergency appropriation, 1922, for Broadview Hospital, Chicago, Ill.....  | 62              | consolidation of offices of register and receiver authorized when receipts fall below \$4,000 a year.....   | 208     |
| for Dawson Springs, Ky., Sanatorium....   | 62              | appointment of register, and receiver abolished.....  | 208     |
| Abilene, Tex., memorial on site of, to soldiers and sailors of World War, permitted.....  | 199             | powers of both offices conferred on; compensation, etc.....   | 208     |
| Bethlehem, Pa., post-office site and building at, to be sold.....   | 27              | provisions for vacancy in office of....   | 208     |
| Jefferson City, Mo., part of site, granted to Missouri as addition to State Capitol grounds.....  | 206             | disposal of lands in Vashon Island, Wash., abandoned military reservation.....  | 142     |
| Plainfield, N. J., part of site, conveyed to city for street purposes.....  | 211             | unsold lots in town sites of Fort Madison and Bellevue, Iowa.....   | 186     |
| <i>Public Buildings and Grounds, D. C.,</i>   |                 | dispossessed settlers, etc., in Baca Float No. 8, private land claim, Arizona, allowed double area of, in lieu.....   | 107     |
| appropriation for Washington Monument, elevator repairs, etc.....   | 8               | exchange authorized with Swan Land and Cattle Company.....  | 147     |
| sum for Washington Monument, care, etc., 1922, immediately available.....   | 8               | granted Converse County, Wyo., for public park.....   | 65      |
| <i>Public Buildings Commission,</i>   |                 | Phoenix, Ariz., for municipal purposes.....   | 143     |
| credit allowed disbursing officer for expenses of automobile.....   | 48              | sale of undisposed of, in abandoned Fort Buford Reservation, N. Dak., and Mont.....   | 159     |
| <i>Public Debt,</i>   |                 | time extended for final proof, etc., of certain desert land entries in Riverside County, Calif.....   | 66      |
| expenses of issues of, subsequently to June 30, 1921, payable from appropriations for expenses of loans in First and Second Liberty Bond Acts.... | 36              | townsite reserves quitclaimed to Walters, Okla.....   | 147     |
| time limit for.....   | 36              | use of, authorized for rights of way, construction materials, etc., for highways and forest roads.....  | 216     |
| <i>Public Debt, Commissioner of,</i>  |                 | <i>Public Library, D. C., Free, and Takoma Park Branch,</i>   |         |
| deficiency appropriation for, 1922.....   | 36              | deficiency appropriation for miscellaneous expenses.....  | 30      |
| <i>Public Exhibitions,</i>  |                 | for contingent expenses.....  | 33      |
| special tax on proprietors of; exemptions.  | 296             | emergency appropriation for site for branch of, in southeastern section.....  | 60      |
| " <i>Public Health Exposition, Cincinnati, Ohio, October 15 to 22, 1921,</i> "  |                 | acceptance of gift from Carnegie Corporation for erecting buildings, authorized.....  | 60      |
| special canceling stamp, authorized for Cincinnati, Ohio, post office.....  | 203             | commission designated to supervise construction.....  | 60      |
| <i>Public Health Service, Department of the Treasury,</i>   |                 | <i>Public Moneys Division, Treasury Department,</i>   |         |
| deficiency appropriation for prevention of epidemics.....   | 38, 51          | duties of covering revenues, etc., into the Treasury, issuing duplicate checks and warrants, and certifying outstanding liabilities, transferred to Bookkeeping and Warrants Division from..... | 25      |
| for freight, transportation, etc.....   | 51, 55, 196     | <i>Public Printing and Binding,</i>   |         |
| for quarantine service.....   | 51, 196         | deficiency appropriation for Government Printing Office.....  | 49      |
| for interstate quarantine service.....  | 51, 196         | for Treasury Department.....  | 50      |
| for field investigations.....   | 51, 56, 196     |   |         |
| for Hygienic Laboratory.....  | 55              |   |         |
| for care of seamen.....   | 55              |   |         |
| for regulating sale of viruses, etc.....  | 56              |   |         |
| for maintenance of marine hospitals....   | 196             |   |         |
| emergency appropriation, 1922, for Broadview Hospital, Chicago, Ill.....  | 62              |   |         |
| for Sanatorium, Dawson Springs, Ky....  | 62              |   |         |
| activities of, relating to war risk beneficiaries, transferred to Veterans' Bureau.....   | 148             |   |         |
| personnel detailed to retain rank, pay, etc.....  | 148             |   |         |
| records, etc., transferred.....   | 148             |   |         |
| designated hospitals of, may be transferred to Director of Veterans' Bureau.....  | 150             |   |         |
| use restricted to beneficiaries.....  | 150             |   |         |

# INDEX.

lxv

|   |              |   |              |
|---|--------------|---|--------------|
| <i>Public Printing and Binding—Continued.</i>             | <i>Page.</i> | <i>Puget Sound Naval Ammunition Depot, Wash.,</i> | <i>Page.</i> |
| deficiency appropriation for Smithsonian Institution..... | 50           | appropriation for public works.....               | 130          |
| for Interior Department.....                              | 50           | <i>Puget Sound Navy Yard, Wash.,</i>              |              |
| for Patent Office.....                                    | 50           | appropriation for public works.....               | 129          |
| for Department of Justice.....                            | 50           | <i>Pulp Wood and Paper, etc.,</i>                 |              |
| for Post Office Department.....                           | 50           | commission authorized to negotiate with           |              |
| for Department of Agriculture.....                        | 50           | Canada for cancellation of restric-               |              |
| for Library of Congress.....                              | 50           | tions on exportation of, therefrom..              | 169          |
| for Supreme Court.....                                    | 50           | to recommend action by Congress, to               |              |
| for expenses.....   | 198          | secure cancellation, if no mutual ar-             |              |
| allowed Federal Power Commission from                     |              | range ment agreed upon.....                       | 170          |
| appropriation for fiscal year 1922...                     | 34           | appropriation for expenses; no salary to          |              |
| discontinuance of printing annual, etc.,                  |              | commissioners.....                                | 170          |
| reports by departments, etc., au-                         |              |   |              |
| thorized.....   | 64           | <i>Purchase Price,</i>                            |              |
| originals to be kept on file for public                   |              | determination of, as to imports subject to        |              |
| inspection.....   | 64           | antidumping duty.....                             | 12           |
| <i>Public Roads and Rural Engineering Office,</i>         |              | <i>Pure Food Law,</i>                             |              |
| <i>Department of Agriculture,</i>                         |              | deficiency appropriation for expenses en-         |              |
| deficiency appropriation for general ex-                  |              | forcing.....                                      | 54           |
| penses.....   | 58, 198      | <i>Purses,</i>                                    |              |
| <i>Public Schools, D. C.,</i>                             |              | excise tax on, sold above specified price by      |              |
| deficiency appropriation for night schools.               | 30           | manufacturer.....                                 | 393          |
| for fuel, light, and power.....                           | 30           |   |              |
| for transporting tubercular pupils.....                   | 30           |   |              |
| for kindergarten supplies.....                            | 33           |   |              |
| for textbooks and supplies.....                           | 33           |   |              |
| for fuel, light, and power.....                           | 33           |   |              |
| for manual training.....                                  | 33           |   |              |
| for school gardens.....                                   | 33           |   |              |
| for high school laboratories.....                         | 33           |   |              |
| for contingent expenses.....                              | 33           |   |              |
| for repairs and improvements.....                         | 33           |   |              |
| emergency appropriation for buildings and                 |              |   |              |
| grounds, 1922.....  | 59           |   |              |
| for Mott School, addition.....                            | 59           |   |              |
| for John Eaton School, addition, etc....                  | 59           |   |              |
| for new junior high school north of Taylor                |              |   |              |
| and east of Fourteenth Streets.....                       | 59           |   |              |
| for site and building for junior high                     |              |   |              |
| school, vicinity of Gage, Emery, and                      |              |   |              |
| Eckington buildings.....                                  | 59           |   |              |
| for site and building near Smothers                       |              |   |              |
| School.....   | 59           |   |              |
| for site and building north of Lincoln                    |              |   |              |
| Park.....   | 59           |   |              |
| for Monroe School, addition.....                          | 60           |   |              |
| for Lovejoy School, addition to site.....                 | 60           |   |              |
| for site, Ingleside section.....                          | 60           |   |              |
| for Phillips School, adjoining land.....                  | 60           |   |              |
| for site and building adjoining Buchanan                  |              |   |              |
| School, addition.....                                     | 60           |   |              |
| for site and building near Bell School...                 | 60           |   |              |
| for building for tubercular pupils.....                   | 60           |   |              |
| for Harrison School, repairs, etc.....                    | 60           |   |              |
| for site, Woodley Park.....                               | 60           |   |              |
| for Armstrong Manual Training School,                     |              |   |              |
| adjoining land.....                                       | 60           |   |              |
| for Hayes School, additional land.....                    | 60           |   |              |
| for Emery School, additional land.....                    | 60           |   |              |
| for Peabody School, additional land.....                  | 60           |   |              |
| for Adams School, additional land.....                    | 60           |   |              |
| for Webb School, addition.....                            | 60           |   |              |
| for Harrison School, additional land.....                 | 60           |   |              |
| all above to constitute one fund for                      |              |   |              |
| "Buildings and grounds, public                            |              |   |              |
| schools".....   | 60           |   |              |
| sixty per cent from District revenues..                   | 60           |   |              |
| <i>Public Utilities Commission, D. C.,</i>                |              |   |              |
| deficiency appropriation for expenses.....                | 33           |   |              |
| <i>Pueblo Indians, N. Mex.,</i>                           |              |   |              |
| deficiency appropriation for water supply,                |              |   |              |
| 1921.....   | 45           |   |              |

## Q.

|  |         |
|--|---------|
| <i>Quarantine Service,</i>                   |         |
| deficiency appropriation for.....            | 51, 196 |
| <i>Quarantine Stations,</i>                  |         |
| deficiency appropriation for New York,       |         |
| N. Y., improvements.....                     | 38      |
| for Baltimore, Md., improvements.....        | 38      |
| for Boston, Mass., improvements.....         | 38      |
| schedule of fees for services to vessels at, |         |
| to be promulgated.....                       | 38      |
| <i>Quarries,</i>                             |         |
| excise tax on products of, using prohibited  |         |
| child labor.....                             | 306     |
| <i>Quartermaster Corps, Army,</i>            |         |
| appropriation for commutation of quar-       |         |
| ters, field clerks.....                      | 75      |
| mileage.....                                 | 75      |
| for subsistence supplies, etc.....           | 76      |
| for regular quartermaster supplies.....      | 77      |
| for fuel, heat, and light; for recreation    |         |
| buildings, etc.....                          | 77      |
| for sale to officers, etc.....               | 78      |
| for bakeries; ice machines; laundries..      | 78      |
| for schools; forage, etc.....                | 78      |
| for stationery, printing, etc.....           | 78      |
| for allotments to designated objects....     | 78      |
| civilian employees.....                      | 78      |
| power, heat, and electric current;           |         |
| amount for Governors Island, N. Y..          | 78      |
| laundry buildings, maintenance, etc..        | 78      |
| heating apparatus.....                       | 78      |
| electric wiring and fixtures.....            | 78      |
| typewriters.....                             | 78      |
| fuel.....                                    | 78      |
| forage, etc.....                             | 78      |
| ice.....                                     | 78      |
| stationery.....                              | 78      |
| sale of horses not in actual use, di-        |         |
| rected.....                                  | 78      |
| fuel contracts authorized without re-        |         |
| gard to current fiscal year.....             | 78      |
| for incidental expenses.....                 | 79      |
| for hire of labor.....                       | 79      |
| for civilian employees other than labor-     |         |
| ers.....                                     | 79      |
| for telegrams, etc.....                      | 79      |
| for experimental and development work.       | 79      |

| <i>Quartermaster Corps, Army—Continued.</i>   | Page.       | <i>Quartermaster Corps, Army—Continued.</i>   | Page.       |
|---|-------------|---|-------------|
| appropriation for transportation .....  | 80          | deficiency appropriation for inland and port storage and shipping facilities..  | 196         |
| allotment to animal drawn, water, rail, and motor .....   | 80          | for barracks and quarters .....   | 196         |
| purchase of animals and animal drawn vehicles, limited .....  | 80          | emergency appropriation for Schofield Barracks, Hawaii, water supply, 1922..  | 62          |
| restriction on expenses for motor vehicles .....  | 80          | unexpended balance for 1919, available during 1922, for acquiring land for Infantry School Camp Benning, Ga.  | 62          |
| disposal of motor vehicles; aggregate..   | 81          | <i>Quartermaster's Department, Marine Corps,</i>  |             |
| use of transports for officials of Porto Rico, etc. ....  | 81          | appropriation for maintenance .....   | 137         |
| additional pay, employees on harbor boats .....   | 81          | deficiency appropriation for maintenance.   | 52, 56      |
| purchase of motor vehicles restricted..   | 81          | <i>Quinnault Indian Reservation, Wash.,</i>   |             |
| cost of transporting civilian employees, etc., on designated Army activities, payable therefrom ..... | 81          | deficiency appropriation for road, 1918, 1919 .....   | 45          |
| for water and sewer systems at posts ..   | 81          |   |             |
| limit on amount for new work .....  | 81          | <b>R.</b>   |             |
| for clothing, camp and garrison equipage.   | 81          | <i>Radio Communication,</i>   |             |
| indemnity for destroyed clothing, etc..   | 82          | deficiency appropriation for enforcing, laws for ocean steamers, etc. ....  | 47          |
| transfer from designated appropriations, 1922, of amounts necessary for transportation .....          | 82          | <i>Radio Service,</i>   |             |
| for purchase of horses .....  | 82          | revenue tax on messages by, in United States .....  | 284         |
| breeding of riding animals .....  | 82          | <i>Radio Shore Stations, Navy,</i>  |             |
| limit; standard required .....  | 82          | appropriation for maintenance, etc. ....  | 134         |
| restriction on polo ponies .....  | 82          | <i>Radiotelegraphy, Navy,</i>   |             |
| acceptance of donated animals, etc. ....  | 83          | exchange of lands in Porto Rico for radio station, authorized .....   | 139         |
| report on breeding riding horses .....  | 83          | <i>Railroad Routes, Postal Service,</i>   |             |
| for barracks and quarters, etc. ....  | 83          | deficiency appropriation for .....  | 55, 59, 199 |
| grounds for cantonments, etc. ....  | 83          | <i>Railway Mail Service,</i>  |             |
| not available for office rent of military attachés .....  | 83          | deficiency appropriation for miscellaneous expenses .....   | 55, 199     |
| for military post exchanges .....   | 83          | for salaries .....  | 55, 59      |
| "Hostess Houses" .....  | 83          | <i>Rankin County, Miss.,</i>  |             |
| for barracks and quarters, Philippine Islands .....   | 83          | bridge authorized across Pearl River, between Madison County and .....  | 219         |
| rentals in China .....  | 84          | <i>Rapid City, S. Dak.,</i>   |             |
| for roads, walks, wharves, and drainage at posts .....  | 84          | deficiency appropriation for Indian school .....  | 45, 57, 58  |
| not available for National Army or National Guard camps, etc. ....                                    | 84          | <i>Receivers of Public Moneys,</i>  |             |
| for post hospitals, construction, etc. ....   | 84          | consolidation of offices of registers of land offices and, if yearly receipts less than \$4,000 .....   | 208         |
| for quarters for hospital stewards .....  | 84          | office of receiver abolished and duties conferred upon register .....   | 208         |
| for shooting galleries and ranges .....   | 84          | <i>Reclamation Service,</i>   |             |
| for settlement of target, etc., damage claims .....   | 84          | preference rights of ex-soldiers, prevented from completing entries by conflicting claims on North Platte Irrigation project, at next opening thereunder. | 7           |
| for rent of buildings in District of Columbia .....   | 85          | water may be furnished on irrigation projects in 1921 to persons in arrears for charges, etc. ....  | 4           |
| if no space in Government owned buildings .....   | 85          | no charges, etc., remitted .....  | 4           |
| for vocational training of soldiers .....   | 85          | <i>Recreation Buildings, Army,</i>  |             |
| for supplies, etc., target practice .....   | 85          | appropriation for heat, lights, etc., for, at military posts .....  | 77          |
| for supplies, etc., to units of Reserve Officers' Training Corps .....                                | 86          | for conducting, etc., at military posts ..  | 83          |
| for inland and port storage and shipping facilities .....   | 86          | <i>Recreation for Enlisted Men, Navy,</i>   |             |
| deficiency appropriation for supplies, services, and transportation .....                             | 52, 56, 196 | appropriation for; pay restrictions .....   | 124         |
| for subsistence .....   | 52          | <i>Recruiting, Marine Corps,</i>  |             |
| for incidental expenses .....   | 52          | appropriation for expenses .....  | 138         |
| for transportation .....  | 52, 196     | <i>Recruiting, Navy,</i>  |             |
| for roads, walks, wharves, and drainage at posts .....  | 52          | appropriation for .....   | 124         |
| for hospitals, construction .....   | 52          | <i>Red River of the North,</i>  |             |
| for shooting galleries and ranges .....   | 52          | time extended for bridging, at Pembina, N. Dak., by Pembina County and Kittson County, Minn. ....   | 19          |
| for civilian military training camps .....  | 52          | <i>Reduction of Naval Expenditures, etc.,</i>   |             |
| for headstones for soldiers' graves..   | 52, 56, 197 | conference for mutual, to be invited with Great Britain and Japan .....   | 141         |
| for disposition of remains of officers, etc.  | 52, 197     | appropriation for .....   | 192         |
| for arming and equipping militia .....  | 52          |   |             |
| for mileage to officers, etc. ....  | 196         |   |             |
| for general appropriations .....  | 196         |   |             |
| for clothing, and camp and garrison equipage .....  | 196         |   |             |
| for horses .....  | 196         |   |             |

# INDEX.

lxvii

|  |                 |   |     |
|--|-----------------|---|-----|
| <i>Refund of Internal Revenue Taxes,</i>   |                 | <i>Reserve Officers' Training Corps, Army—Con.</i>  |     |
| directed if erroneously or illegally collected, etc.....   | 314             | attending advanced course during 1921 to be paid from Army pay appropriation 1921.....  | 76  |
| repayment to collector of money recovered against him.....   | 314             | <i>Resident Commissioners,</i>  |     |
| damages in any suit, etc.....  | 314             | appropriation for expenses.....   | 2   |
| report to Congress.....  | 314             | <i>Retirement of Civil Service Employees,</i>   |     |
| claims for, erroneously collected to be brought in four years after payment.....   | 314             | deficiency appropriation for expenses of Pension Office executing, Act.....   | 56  |
| applicable to, under former acts.....  | 314             | <i>Returns, Internal Revenue,</i>   |     |
| permanent appropriation for paying claims for, repealed.....   | 314             | required annually from persons liable to tax, etc.; details.....  | 312 |
| estimates for, required hereafter.....   | 314             | by revenue officer with consent of party in default.....  | 312 |
| provisions for bringing suits in claims for, modified.....   | 315             | notice to taxpayer not making.....  | 312 |
| <i>Refunding Internal Revenue Collections,</i>   |                 | summons if not made, or false, etc., delivered.....   | 312 |
| deficiency appropriation for.....  | 196             | authority of collector in another district.....   | 312 |
| <i>Registers of Land Offices,</i>  |                 | to be made by collector of his own knowledge if none, or false, received.....   | 313 |
| consolidation of offices of, and receivers, authorized by yearly receipts of district below \$4,000.....                     | 208             | by Commissioner, etc.....   | 313 |
| duties of receivers conferred upon; salary, etc.....   | 208             | legal effect of.....  | 313 |
| <i>Registration and Selection for Military Service,</i>  |                 | extension of time, if failure due to sickness or absence.....   | 313 |
| deficiency appropriation for.....  | 52, 56, 196     | assessment of taxes by Commissioner in such cases.....  | 313 |
| <i>Registration and Selection for Military Service, 1917,</i>  |                 | additional tax imposed, unless failure due to reasonable cause, etc.....  | 313 |
| liabilities for violations of, not terminated by resolution declaring end of the World War.....                              | 107             | increased if false or fraudulent, willfully made.....   | 313 |
| <i>Rehabilitation Division, Federal Board of Vocational Education,</i>   |                 | collection of.....  | 313 |
| powers, duties, etc., of, transferred to Veterans' Bureau.....   | 148             | second assessments under, not remitted if deemed false, etc., unless statements proven to be not willfully false, etc..               | 316 |
| <i>Rehabilitation of Discharged Soldiers, etc.,</i>  |                 | <i>Returns of Income Taxes,</i>   |     |
| deficiency appropriation for vocational... payments to trainees or their dependents.....                                     | 34              | to be public records; provisions for inspection, etc.....   | 270 |
| applications for vocational training to be made within 18 months.....  | 34              | <i>Revenue Act of 1917, War,</i>  |     |
| <i>Relief and Protection of American Seamen,</i>   |                 | deficiency appropriation for expenses collecting.....   | 196 |
| deficiency appropriation for.....  | 35, 54, 58, 196 | war and excess profits tax imposed on consolidated returns of incomes, etc., of corporations and partnerships affiliated in 1917..... | 319 |
| <i>Religious, Scientific, etc., Societies,</i>   |                 | affiliation construed, when one corporation owns all the stock of the others.....   | 319 |
| exempt from income tax.....  | 253             | when all the stock owned by the same interests.....   | 319 |
| <i>Rent Commission, D. C.,</i>   |                 | if in the same business.....  | 319 |
| deficiency appropriation for salaries and expenses.....  | 30              | affecting artificial distribution of profits.....   | 319 |
| <i>Rent, D. C.,</i>  |                 | assigns disproportionate share of profits public service corporations acting independently not construed as.....                      | 319 |
| appropriation for Army.....  | 85              | except railroads, etc., of industrial corporations operated as part of group organizations, etc.....                                  | 319 |
| if no Government building available..  | 85              | provisions declaratory of provisions of war and excess profits tax in.....  | 319 |
| <i>Rent, Light, and Fuel, Post Offices,</i>  |                 | <i>Revenue Act of 1918,</i>   |     |
| deficiency appropriation for.....  | 199             | parts of, repealed: Title II, Income Tax, as of January 1, 1921.....  | 320 |
| <i>Rents, District of Columbia,</i>  |                 | Title III, War-Profits and Excess-Profits Tax, as of January 1, 1921.....   | 320 |
| provisions to prevent profiteering in, modified, and extended to May 22, 1922.....   | 200             | Title IV, Estate Tax, on passage hereof..   | 320 |
| <i>Reorganization, Joint Committee on,</i>   |                 | Title V, Tax on Transportation and Other Facilities, and Insurance.....   | 320 |
| appointment of representative of the Executive to cooperate with, authorized.....  | 3               | taxes on soft drinks, ice cream, etc.....   | 321 |
| <i>Reports of Departments, etc.,</i>   |                 | Title VII, Tax on Cigars, Tobacco and Manufactures Thereof.....   | 321 |
| printing of annual, etc., by heads thereof, discontinued.....  | 64              | Title VIII, Tax on Admissions and Dues.....   | 321 |
| copies of originals to be kept for public inspection.....  | 64              | Title IX, Excise Taxes.....   | 321 |
| <i>Representatives in Congress,</i>  |                 |   |     |
| appropriation for mileage.....   | 2               |   |     |
| <i>Reserve Officers' Training Corps, Army,</i>   |                 |   |     |
| appropriation for Quartermaster supplies, etc., to institutions having units of... for maintenance, of training camps, etc.. | 86              |   |     |
| for travel allowance, etc.....   | 86              |   |     |
| for pay of students attending advanced camps; subsistence commutation...   | 86              |   |     |
| for ordnance supplies to schools, etc., having units of.....   | 93              |   |     |

|  |              |   |              |
|--|--------------|---|--------------|
| <i>Revenue Act of 1918—Continued.</i>  | <i>Page.</i> | <i>Revenue Act of 1921—Continued.</i>                                 | <i>Page.</i> |
| parts of, repealed; Title X, Special Taxes..   | 321          | corporation income tax; credit for taxes..                            | 258          |
| Title XI, Stamp Taxes.....   | 321          | returns.....  | 259          |
| Title XII, Tax on Employment of Child Labor, as of January 1, 1921.....  | 321          | consolidated, of affiliated incorporations.....                       | 260          |
| Title XIII, of specified administrative provisions.....  | 321          | time and place of filing.....   | 260          |
| repealed portions in force for collection of accrued taxes, etc.....   | 321          | tax on insurance companies.....                                       | 261          |
| unexpended balances continued available.....   | 321          | life insurance.....   | 261          |
| <i>Revenue Act of 1921,</i>  |              | gross income defined.....   | 261          |
| <b>TITLE I. GENERAL DEFINITIONS.....</b>   | <b>227</b>   | net income defined.....   | 261          |
| title of Act.....  | 227          | all other.....  | 262          |
| meaning of terms; "person".....  | 227          | gross income defined.....   | 263          |
| "corporation".....   | 227          | net income defined; deductions allowed.....                           | 263          |
| "domestic"; "foreign".....   | 227          | administrative provisions; payment of tax; installments.....          | 264          |
| "United States".....   | 227          | receipts for taxes.....   | 267          |
| "Secretary"; "Commissioner"; "collector".....  | 227          | refunds and credits.....  | 268          |
| "taxpayer".....  | 227          | penalties imposed.....  | 268          |
| "military and naval forces of the United States".....  | 227          | returns; by corporations, of dividend payments.....                   | 269          |
| "Government contract"; "Government contract or contracts made between April 6, 1917, and November 11, 1918, both inclusive"..... | 227          | by brokers.....   | 269          |
| <b>TITLE II. INCOME TAX.....</b>   | <b>227</b>   | of information at source.....   | 269          |
| general provisions.....  | 227          | to be public records.....   | 270          |
| meaning of specified terms.....  | 227          | publication of statistics.....  | 270          |
| dividends; distribution of profits construed as.....   | 228          | collection of foreign items.....                                      | 270          |
| gain or loss; basis of determining.....  | 229          | taxation of citizens of United States possessions.....                | 270          |
| inventories; use of, to determine income.....  | 231          | in Porto Rico and the Philippines.....                                | 271          |
| net losses; items considered as.....   | 231          | gross income from within the United States possessions specified..... | 271          |
| computation of tax for fiscal years 1920-1921 and 1921-1922.....   | 232          | Virgin Islands not included.....                                      | 271          |
| capital gain; method of determining.....   | 232          | title in effect from January 1, 1921.....                             | 271          |
| individual income tax.....   | 233          | <b>TITLE III. WAR AND EXCESS PROFITS TAX FOR 1921</b>                 |              |
| normal.....  | 233          | general definitions.....  | 271          |
| surtax for 1921.....   | 233          | rates imposed.....  | 272          |
| for 1922.....  | 235          | on income from Government war contracts.....                          | 272          |
| net income defined.....  | 237          | credits allowed.....  | 273          |
| gross income defined.....  | 237          | returns of net income.....  | 273          |
| items not included.....  | 238          | invested capital; definition of terms.....                            | 273          |
| deductions allowed.....  | 239          | items included.....   | 274          |
| items not deductible.....  | 242          | borrowed capital excluded.....  | 275          |
| credits allowed.....   | 242          | inadmissible assets deducted.....                                     | 275          |
| nonresident aliens.....  | 243          | determination of; from average similar business.....                  | 275          |
| as members of partnerships.....  | 245          | valuation of assets transferred under reorganizations.....            | 276          |
| of personal-service corporations.....  | 245          | determination for fiscal years 1920-1921, 1921-1922.....              | 276          |
| estates and trusts.....  | 246          | returns, payment, etc.....  | 276          |
| evasion of surtax by incorporation.....  | 247          | maximum for sale of mines, oils wells, etc..                          | 277          |
| payment of tax at source.....  | 248          | effective from January 1, 1921.....                                   | 277          |
| credit for taxes.....  | 249          | <b>TITLE IV. ESTATE TAX.....</b>                                      | <b>277</b>   |
| returns by individuals.....  | 250          | definition of terms.....  | 277          |
| by partnerships.....   | 250          | rates imposed on value of net estate transferred.....                 | 277          |
| by fiduciaries.....  | 250          | not applicable if decedent in armed war service, etc.....             | 278          |
| for less than a year.....  | 251          | determination of gross estates; net estate.....                       | 278          |
| time and place for filing.....   | 251          | deductions allowed residents; nonresidents.....                       | 279          |
| understatements in.....  | 252          | returns by executor.....  | 281          |
| incorporation of individual or partnership business.....   | 252          | by collector if none filed, etc.....                                  | 281          |
| corporation income tax.....  | 252          | time for payment; extensions.....                                     | 281          |
| for year 1921; for year 1922, etc.....   | 252          | collection of unpaid taxes.....                                       | 282          |
| exemptions.....  | 253          | lien on gross estates if not paid when due..                          | 283          |
| net income defined.....  | 254          | punishment for false returns, etc.....                                | 283          |
| gross income defined.....  | 254          | provisions for citizens dying in China.....                           | 283          |
| deductions.....  | 254          |   |              |
| items not deductible.....  | 257          |   |              |
| credits allowed.....   | 257          |   |              |
| payment at source.....   | 258          |   |              |

*Revenue Act of 1921—Continued.*

|   | Page. |
|---|-------|
| <b>TITLE V. TAX ON TELEGRAPH AND TELEPHONE MESSAGES.</b>                          | 284   |
| rates imposed after January 1, 1922.....  | 284   |
| telegraph, telephone, etc., messages.....   | 284   |
| leased wires, special service, etc.....   | 284   |
| refund of unused mileage, etc., transportation.....                               | 284   |
| payment of tax by user; collection, returns, etc.....                             | 285   |
| <b>TITLE VI. TAX ON BEVERAGES, ETC.</b>   | 285   |
| additional tax on distilled spirits diverted to beverage uses.....                | 285   |
| production of absolute alcohol without..  | 285   |
| rates on sales by manufacturer, etc.; cereal beverages, etc.....                  | 285   |
| bottled still drinks.....   | 285   |
| mineral and table waters.....   | 285   |
| finished sirups for soft drinks, etc.....   | 285   |
| carbonic acid gas for beverages.....  | 286   |
| monthly returns, payments, etc.; registry of business.....                        | 286   |
| <b>TITLE VII. TAX ON CIGARS, TOBACCO, ETC.</b>                                    | 286   |
| rates on sales by manufacturer or importer.                                       | 286   |
| of cigars; cigarettes.....  | 286   |
| label and package requirements, etc..   | 287   |
| of manufactured tobacco and snuff.....  | 287   |
| package requirements, etc.....  | 287   |
| cigarette paper and tubes.....  | 288   |
| leaf tobacco dealers; regulation of business.                                     | 288   |
| penalties for violations.....   | 289   |
| farmers and growers not regarded as.....  | 289   |
| <b>TITLE VIII. TAX ON ADMISSIONS AND DUES.</b>                                    |       |
| rates on admissions to any place after January 1, 1922.....                       | 289   |
| additional on sales at other than the ticket office.....                          | 290   |
| if sold at greater than regular price at ticket office.....                       | 290   |
| box holders at places of amusement....  | 290   |
| roof gardens, cabarets, etc.....  | 290   |
| exemptions of entertainments for religious, educational, etc., organizations..... | 290   |
| on club dues and initiation fees.....   | 291   |
| collection by receivers; returns and payment.....                                 | 291   |
| <b>TITLE IX. EXCISE TAXES.</b>  |       |
| rates after January 1, 1922 on sales by manufacturers.....                        | 291   |
| articles specified.....   | 291   |
| retail sales.....   | 292   |
| computation if sold at less than market price.....                                | 292   |
| on works of art by other than artist.....   | 292   |
| returns, payment, etc.....  | 293   |
| rates on articles above specified prices, sold by manufacturers.....              | 293   |
| by dealers, of articles of jewelry, etc..   | 293   |
| precious metal mountings, timepieces, etc.....                                    | 293   |
| surgical instruments, spectacles, excepted.....                                   | 293   |
| returns, payment, etc.....  | 293   |
| payment of excise tax for sales under contracts prior to August 15, 1921.....     | 293   |
| not required if to other than a dealer..  | 294   |
| if tax greater under prior Act.....   | 294   |
| if no tax under this Act.....   | 294   |
| <b>TITLE X. SPECIAL TAXES.</b>  | 294   |
| capital stock tax after July 1, 1922.....   | 294   |
| rate on domestic corporations.....  | 294   |
| on foreign corporations.....  | 295   |
| exceptions.....   | 295   |
| publicity of returns.....   | 295   |

*Revenue Act of 1921—Continued.*

|  | Page. |
|--|-------|
| miscellaneous occupations tax after July 1, 1922.....                            | 295   |
| rates on designated business.....  | 295   |
| annual sales by manufacturers of tobacco, cigars, and cigarettes.....            | 297   |
| on use of pleasure boats after July 1, 1922                                      | 297   |
| exemptions.....  | 298   |
| punishment for conducting business without paying tax.....                       | 298   |
| narcotics tax provisions.....  | 298   |
| <b>TITLE XI. STAMP TAXES.</b>  | 301   |
| levied on bonds, written documents, etc., in Schedule A after January 1, 1922... | 301   |
| exemptions.....  | 301   |
| penalty for issuing unstamped paper...   | 302   |
| dealing in articles not fully stamped...   | 302   |
| using uncanceled stamps.....   | 302   |
| punishment for fraudulently reusing, etc., stamps.....                           | 302   |
| wilfully removing, etc., stamps for unlawful uses.....                           | 302   |
| possessing washed stamps knowingly.  | 302   |
| methods of cancellation.....   | 302   |
| preparation of stamps, etc.; general laws applicable.....                        | 302   |
| sales of stamps by postmasters, etc.....   | 303   |
| designated depositaries, etc.; State agents.....                                 | 303   |
| bond, regulations, etc.....  | 303   |
| <b>SCHEDULE A, STAMP TAXES.</b>  | 303   |
| bonds of indemnity.....  | 303   |
| capital stock issues and transfers.....  | 303   |
| sales of produce at exchanges, etc., for future delivery.....                    | 304   |
| drafts, promissory notes, etc.....   | 305   |
| real estate conveyances.....   | 305   |
| customhouse entries; warehouse withdrawals.....                                  | 305   |
| foreign passage tickets.....   | 305   |
| proxies; exceptions.....   | 306   |
| powers of attorney; exceptions.....  | 306   |
| playing cards.....   | 306   |
| property insurance policies.....   | 306   |
| reinsurance exempt.....  | 306   |
| affixing stamps; penalty for failure.....  | 306   |
| <b>TITLE XII. TAX ON CHILD LABOR EMPLOYMENT.</b>                                 | 306   |
| excise tax on net profits of business using.                                     | 306   |
| regulations governing.....   | 307   |
| <b>TITLE XIII. GENERAL ADMINISTRATIVE PROVISIONS.</b>                            | 308   |
| general revenue laws extended to this Act.                                       | 308   |
| discretionary use of methods for collecting tax allowed.....                     | 308   |
| penalty for failure to pay tax, make returns, etc., under designated titles..... | 309   |
| punishment for wilful refusals, evasions, etc.....                               | 309   |
| additional tax penalty therefor; exceptions.....                                 | 309   |
| persons liable hereunder.....  | 309   |
| rules for enforcement, etc., authorized....                                      | 309   |
| returns not exceeding \$10 may be acknowledged without oath.....                 | 309   |
| credits or refunds of overpayments or collections allowed.....                   | 309   |
| exports of beverages, tobacco, etc., not taxable hereunder.....                  | 310   |
| refunds to exporter authorized.....  | 310   |
| fractions of a cent disregarded; exceptions.                                     | 310   |
| returns may be required of any person....  | 310   |
| examination of books and witnesses authorized.....                               | 310   |
| restriction on making unnecessary.....   | 310   |

*Revenue Act of 1921—Continued.*

|  |     |
|--|-----|
| jurisdiction of district courts to secure testimony, etc.....  | 310 |
| issue of processes, etc.....   | 310 |
| additional to other enforcement remedies concurrent with Court of Claims for recovery of illegal tax, etc., if collector dead..... | 311 |
| violation of revenue laws to be reported to district attorney.....   | 311 |
| statement required.....  | 311 |
| administration of oaths, etc., by specified revenue officials, authorized.....   | 311 |
| divulging information received by revenue officials unlawful.....  | 311 |
| unauthorized publication of income returns unlawful.....   | 311 |
| punishment for offenses; dismissal of offender.....  | 311 |
| inquiries to be made by deputy collectors. annual tax returns required of taxpayers; details.....                                  | 312 |
| by revenue officer with consent of party failing.....  | 312 |
| notice to be given if no returns rendered.....   | 312 |
| summons for failure to make, or making false, returns.....   | 312 |
| authority of district collector, etc.....  | 312 |
| preparation of returns by collector if no, or false, returns made.....   | 313 |
| by Commissioner; legal effect.....   | 313 |
| assessment of tax.....   | 313 |
| additional tax imposed; exception.....   | 313 |
| rate if returns fraudulent.....  | 313 |
| collection of.....   | 313 |
| cases settled by written agreement with taxpayer not to be reopened.....   | 313 |
| findings of fact, etc., by Commissioner not subject to review by other officer, etc.....   | 313 |
| decisions reversed, without retroactive effect, unless required by court.....  | 314 |
| refund for erroneously collected taxes and penalties, etc.....   | 314 |
| repayment of judgments, etc., against collectors.....  | 314 |
| for damages against officials.....   | 314 |
| report to Congress.....  | 314 |
| claims for refunding erroneously collected taxes to be presented within four years.....  | 314 |
| applicable to claims under former Act..  | 314 |
| permanent appropriation for refund of erroneously collected taxes repealed after June 30, 1920.....                                | 314 |
| estimates for, required thereafter.....  | 314 |
| suits for refunding illegally collected taxes, etc., not allowed unless claim filed with Commissioner.....                         | 315 |
| time limitation extended.....  | 315 |
| prior suits not affected.....  | 315 |
| former limitation repealed.....  | 315 |
| suits for collecting taxes not allowed after five years; except for fraud, etc.....  | 315 |
| not applicable to income taxes or present suits.....   | 315 |
| prosecutions for violating internal revenue laws to be instituted within three years.....  | 315 |
| absence from district not included.....  | 315 |
| prior offenses not affected.....   | 315 |
| extension for complaints before a Commissioner.....  | 315 |
| Government officials excepted.....   | 315 |
| not applicable to prior proceedings.....   | 315 |

*Revenue Act of 1921—Continued.*

|  |     |
|--|-----|
| assessment for taxes, except income, to be made within four years.....                                   | 315 |
| no remission or refund of taxes on second assessment if returns willfully false, etc.....                | 316 |
| interest allowed on claims for refunds or credits.....   | 316 |
| on judgments of Court of Claims, etc., for erroneous collections, etc.....                               | 316 |
| United States notes or certificates, and uncertified checks receivable for other than stamp taxes.....   | 316 |
| punishment for false statement that tax is included in price of articles, etc.....                       | 316 |
| that part of price is due to tax.....  | 317 |
| Tax Simplification Board established in Treasury Department; duties, etc.....                            | 317 |
| termination of, December 31, 1924.....   | 317 |
| additional exemption of 4 and $\frac{1}{2}$ per cent Liberty Bonds from surtaxes.....                    | 317 |
| for two years after end of World War....   | 317 |
| for three years thereafter.....  | 317 |
| in lieu of exemptions, etc., during the war.....   | 318 |
| Liberty bonds, etc., accepted in lieu of personal sureties required by law....                           | 318 |
| effect thereof; substitution permitted....   | 318 |
| return to depositor.....   | 318 |
| retention for protection of subcontractors on default of principal.....                                  | 318 |
| priority of United States not affected....   | 318 |
| inconsistent laws modified.....  | 318 |
| not applicable to judicial securities.....   | 318 |
| enforcement.....   | 318 |
| stamps unavoidably lost from packages may be replaced.....   | 319 |
| regulations to be prescribed.....  | 319 |
| war excess profits tax imposed on consolidated returns of affiliated corporations, etc.....              | 319 |
| interests, etc., deemed affiliated.....  | 319 |
| if in same business, etc.....  | 319 |
| application to public service corporations.....  | 319 |
| railroads operated by industrial corporations, etc.....  | 319 |
| effect of provisions.....  | 319 |
| additional tax on personal service corporation for years 1918-1924, if present law declared invalid..... | 319 |
| to equal corporation war and excess profits tax.....   | 319 |
| returns to be made on income during each year.....   | 319 |
| basis of.....  | 320 |
| claims for credits or refunds to be allowed.....   | 320 |
| reduction of tax if made by less than 80 per cent of stock.....  | 320 |
| assessment collection and payment; interest limitation.....  | 320 |
| tax paid by shareholder may be credited to amount due.....   | 320 |
| application for, to be filed.....  | 320 |
| time limit for filing claims for credits, etc.....   | 320 |
| not imposed if no claim filed.....   | 320 |
| TITLE XIV, GENERAL PROVISIONS.....   | 320 |
| repeal of parts of Revenue Act of 1918 at designated dates.....  | 320 |
| income tax.....  | 320 |
| war profits and excess profits tax.....  | 320 |
| estate tax.....  | 320 |

# INDEX.

lxxi

| <i>Revenue Act of 1921—Continued.</i>        |              | <i>Rifle Ranges for Civilian Instruction,</i>      |       |
|--|--------------|--|-------|
| repeal of Revenue Act of 1918, as to tax     | Page.        | appropriation for quartermaster supplies           | Page. |
| on transportation, etc.                      | 320          | for maintaining, etc.                              | 85    |
| tax on soft drinks, etc.                     | 321          | transportation, subsistence, etc., to              |       |
| tax on cigars, tobacco, etc.                 | 321          | participants in national matches...                | 86    |
| tax on admissions and dues.                  | 321          | commutation, etc., of traveling ex-                |       |
| excise taxes.                                | 321          | penses.  | 86    |
| special taxes.                               | 321          | for ordnance supplies for practice.                | 93    |
| stamp taxes.                                 | 321          | <i>Rio de Janeiro, Brazil, International Expo-</i> |       |
| child labor employment tax.                  | 321          | <i>sition,</i>                                     |       |
| specified administrative provisions.         | 321          | invitation from Brazil to participate in,          |       |
| provisions repealed continued for collect-   |              | accepted.  | 209   |
| ing accrued taxes, etc.                      | 321          | commissioner general and five commis-              |       |
| unexpended balances available for this       |              | sioners to be appointed.                           | 209   |
| Act.   | 321          | two commissioners to serve without pay,            |       |
| Victory Loan notes, issue increased and use  |              | etc.   | 209   |
| extended.                                    | 321          | authority of commissioner general, under           |       |
| Treasury savings certificates, holdings al-  |              | the Secretary of State.                            | 209   |
| lowed up to \$5,000.                         | 321          | assistance from department, etc., offi-            |       |
| invalidity of any provision, etc., not to    |              | cials and employees; allowances.                   | 209   |
| affect remainder of Act.                     | 321          | pay restrictions.                                  | 209   |
| effective date hereof.                       | 321          | exhibits to be loaned by executive depart-         |       |
| <i>Revenue from Customs,</i>                 |              | ments, etc.  | 210   |
| deficiency appropriation for collecting.     | 51,          | disposition of buildings, etc., not re-            |       |
|  | 56, 193, 196 | turned to the United States.                       | 210   |
| <i>Revised Statutes,</i>                     |              | transportation, etc., by Shipping Board.           | 210   |
| amended, section 236.                        | 24           | of agricultural and forestal products to           |       |
| section 955.                                 | 323          | be prepared, etc., by Secretary of                 |       |
| section 1044.                                | 220          | Agriculture.                                       | 210   |
| section 2324.                                | 186          | of fisheries, etc., to be prepared by Secre-       |       |
| section 3164.                                | 311          | tary of Commerce.                                  | 210   |
| section 3165.                                | 311          | of mining industry, to be prepared by              |       |
| section 3167.                                | 311          | Secretary of the Interior.                         | 210   |
| section 3172.                                | 311          | authorization of amount for all expenses..         | 210   |
| section 3173.                                | 312          | available until expended.                          | 210   |
| section 3176.                                | 313          | subject to approval of Secretary of State.         | 210   |
| section 3182.                                | 315          | no indebtedness exceeding, permitted..             | 210   |
| section 3220.                                | 314          | report to Congress within six months of            |       |
| section 3225.                                | 316          | close of exposition.                               | 210   |
| section 3226.                                | 315          | <i>Rio Grande,</i>                                 |       |
| section 3228.                                | 314          | time extended for bridging, by El Paso,            |       |
| section 3315.                                | 319          | Tex.   | 205   |
| section 3360.                                | 288          | <i>River and Harbor Improvements,</i>              |       |
| section 3362.                                | 287          | preliminary examination, etc., authorized          |       |
| section 3368.                                | 287          | of Yazoo River, Miss., to control its              |       |
| section 3369.                                | 205          | floods.  | 146   |
| section 3392.                                | 287          | <i>Riverside County, Calif.,</i>                   |       |
| section 3394.                                | 286          | time extended for certain desert land              |       |
| section 3689.                                | 314          | entries in.  | 66    |
| repealed section 2903.                       | 17           | assessments operative from May 1, 1923..           | 66    |
| section 3227.                                | 315          | further extension if water not available..         | 66    |
| section 3565.                                | 17           | <i>Roads, Public (see Federal Highway Act).</i>    |       |
| restored, section 1519.                      | 208          | <i>Roads, Walks, etc., Military Posts,</i>         |       |
| <i>Revivor, United States Courts,</i>        |              | appropriation for construction, repairs, etc.      | 84    |
| jurisdiction extended to suits in equity     |              | <i>Roanoke River,</i>                              |       |
| and in admiralty.                            | 323          | time extended for bridging, by Halifax             |       |
| service to be made on executor, etc.,        |              | County, N. C.                                      | 170   |
| before final settlement of decedent's        |              | <i>Robinson, Samuel,</i>                           |       |
| estate.                                      | 324          | deficiency appropriation for extra services.       | 50    |
| <i>Rhode Island,</i>                         |              | <i>Rock Creek Park, D. C.,</i>                     |       |
| appropriation for naval training station..   | 125          | deficiency appropriation for care and im-          |       |
| for Naval War College.                       | 127          | provement.   | 33    |
| <i>Rice,</i>                                 |              | <i>Rock River,</i>                                 |       |
| temporary duty on cleaned.                   | 9            | bridge authorized across, Sterling, Ill....        | 325   |
| for manufacture of canned goods.             | 9            | <i>Rome, Italy,</i>                                |       |
| uncleaned, etc.                              | 9            | medal of honor bestowed upon unknown               |       |
| flour, meal, and broken.                     | 10           | unidentified Italian soldier, in Victor            |       |
| paddy.                                       | 10           | Emanuel National Monument in..                     | 204   |
| <i>Riding Academies,</i>                     |              | <i>Roof Gardens,</i>                               |       |
| special tax on proprietors of.               | 296          | internal revenue tax on admissions to enter-       |       |
| exemptions.                                  | 296          | tainments at.                                      | 290   |
| <i>Riding Habits,</i>                        |              | <i>Rowell, Chester H.,</i>                         |       |
| excise tax on, sold by producer, etc.        | 292          | unexpended balance available for salary            |       |
| <i>Rifle Contests, Army,</i>                 |              | of, as unconfirmed member of Ship-                 |       |
| appropriation for trophy, medals, etc., for. | 91           | ping Board.  | 35    |
|  |              | additional appropriation for.                      | 35    |



|   | Page.   |  | Page.           |
|---|---------|--|-----------------|
| <i>Rugs,</i>  |         | <i>Scriven County, Ga.,</i>  |                 |
| excise tax on, sold above specified price by manufacturer, etc.....   | 293     | Allendale County, S. C., and, may bridge Savannah River.....   | 322             |
| <i>Rural Delivery, Postal Service,</i>  |         | <i>Sculpture,</i>  |                 |
| deficiency appropriation for.....   | 55, 197 | excise tax on, sold by other than the artist; exceptions.....  | 292             |
| <i>Rural Post Roads (see Federal Highway Act).</i>  |         | <i>Seamen, American,</i>   |                 |
| <i>Rye (see also Future Trading Act),</i>   |         | deficiency appropriation for relief and protection of.....   | 35, 54, 58, 198 |
| provisions governing contracts for future delivery of.....  | 187     | <i>Search Warrants,</i>  |                 |
| S.  |         | searching private dwellings, etc., by prohibition enforcement officials without, a misdemeanor.....  | 223             |
| <i>Sailing Boats,</i>   |         | penalty for first offense.....   | 224             |
| special tax on users of, not for business, etc.....   | 297     | punishment for subsequent offense.....   | 224             |
| <i>Sailors, etc.,</i>   |         | <i>Seattle, Wash.,</i>   |                 |
| appropriation for transportation of disabled, on furlough from hospitals....                                      | 94      | emergency appropriation for passport bureau at, 1922.....  | 61              |
| <i>Saint Elizabeths Hospital, D. C.,</i>  |         | <i>Second Deficiency Act, 1921 (see Deficiency Appropriation Act, 1921, Second).</i>   |                 |
| deficiency appropriation for support of indigent insane, D. C.....  | 33, 34  | <i>Secretaries, Diplomatic Service,</i>  |                 |
| <i>Saint Germain-en-Laye (see also World War),</i>  |         | deficiency appropriation for salaries.....   | 58              |
| reservation of all rights, etc., of United States and its nationals stipulated under treaty of.....               | 106     | <i>Secretary of Agriculture,</i>   |                 |
| <i>Saint Marys Bridge Company,</i>  |         | added as member of War Finance Corporation.....  | 181             |
| may bridge Saint Marys River, Saint Marys, Ga.....  | 204     | authority of, under Packers and Stockyards Act.....  | 160             |
| <i>Saint Marys, Ga.,</i>  |         | duties and powers of, under Federal Highway Act.....   | 212             |
| bridge authorized across Saint Marys River at.....  | 204     | Future Trading Act.....  | 187             |
| <i>Saint Marys River,</i>   |         | exhibit of agricultural and forestal products to be prepared by for Rio de Janeiro, Brazil, Exposition.....  | 210             |
| bridge authorized across, Saint Marys, Ga. Wilds Landing Ferry, Ga. and Fla.....                                  | 204     | report to accompany.....   | 210             |
| <i>Salem, Oreg.,</i>  |         | <i>Secretary of Commerce,</i>  |                 |
| deficiency appropriation for Indian school at.....  | 45      | exhibit of fisheries industry to be prepared by, for Rio de Janeiro, Brazil, Exposition.....   | 210             |
| <i>San Diego, Calif.,</i>   |         | report to accompany.....   | 210             |
| appropriation for naval air station, buildings.....   | 123     | statement of nationalities of residents of United States in 1910, to be prepared by Secretary of State, Secretary of Labor and.....                                    | 5               |
| for Marine Corps Barracks.....  | 130     | to serve on commission to act on suspension of boards of trade as contract markets refusing board of trade privileges to persons violating provisions hereof, etc..... | 188             |
| for naval base, storehouse.....   | 130     | <i>Secretary of Labor,</i>   |                 |
| for naval hospital, enlarging, etc.....   | 130     | duties of Children's Bureau in executing Maternity and Infancy Hygiene Act, under supervision of.....  | 226             |
| for establishing naval training station at.....   | 130     | annual report to Congress of administration, etc.....  | 226             |
| <i>San Francisco, Calif.,</i>   |         | statement of nationalities of residents of United States in 1910, to be prepared by Secretary of State, Secretary of Commerce, and.....                                | 5               |
| deficiency appropriation for aircraft mail service from New York to.....  | 42      | <i>Secretary of State,</i>   |                 |
| emergency appropriation for passport bureau at, 1922.....   | 61      | appropriation for expenses of commission to the centennial celebration of the Independence of Peru.....  | 67              |
| <i>San Juan Island Military Reservation, Wash.,</i>   |         | deficiency appropriation for expenses of conference on Limitation of Armament.....   | 192             |
| granted to Washington for use of University as biological station, etc.....                                       | 173     | duties of, in representation of United States at Rio de Janeiro, Brazil, International Exposition.....   | 209             |
| Government use retained.....  | 174     | statement of nationalities of residents of United States in 1910, to be prepared by Secretary of Commerce, Secretary of Labor, and.....                                | 5               |
| nonliability to State or University for.....  | 174     | to transmit to diplomatic and consular officers, statements of permissible admission of aliens until June 30, 1922.....  | 6               |
| reversion for nonuser.....  | 174     |  |                 |
| <i>Santa Fe, N. Mex.,</i>   |         |  |                 |
| deficiency appropriation for Indian school at.....  | 57      |  |                 |
| <i>Savannah River,</i>  |         |  |                 |
| bridge authorized across, Burtons Ferry, S. C.....  | 322     |  |                 |
| <i>Savings Banks, Mutual,</i>   |         |  |                 |
| exempt from income tax.....   | 253     |  |                 |
| <i>Schofield Barracks, Hawaii,</i>  |         |  |                 |
| emergency appropriation for water supply 1922.....  | 62      |  |                 |
| <i>Schools, etc.,</i>   |         |  |                 |
| appropriation for Army supplies, etc., to military, other than with units of Reserve Officers' Training Corps.... | 86      |  |                 |
| ordnance equipment excluded.....  | 86      |  |                 |
| <i>Scientific, etc., Societies,</i>   |         |  |                 |
| exempt from income tax.....   | 253     |  |                 |

# INDEX.

lxxiii

|  | Page. |  | Page.       |
|--|-------|--|-------------|
| <i>Secretary of the Interior,</i>            |       | <i>Seeds,</i>  |             |
| exhibit of mining industry to be prepared    |       | deficiency appropriation for purchase and                |             |
| by, for Rio de Janeiro, Brasil, Ex-          |       | distribution of valuable.....                            | 54          |
| position.....                                | 210   | <i>Selective Draft (see also Registration and Selec-</i> |             |
| report to accompany.....                     | 210   | tion for Military Service),                              |             |
| to reimburse persons for losses in producing |       | deficiency appropriation for expenses regi-              |             |
| minerals, etc., in response to Gov-          |       | stration and selection for.....                          | 52, 56, 196 |
| ernment appeal, etc.....                     | 322   | <i>Selective Draft, 1917,</i>                            |             |
| <i>Secretary of the Navy,</i>                |       | liabilities for violations of, not terminated            |             |
| authorized to acquire private fishery        |       | by Resolution declaring end of the                       |             |
| rights in Pearl Harbor, etc., Hawaii.        | 67    | World War.....   | 107         |
| dispose of lands no longer needed for        |       | <i>Semiprecious Stones,</i>                              |             |
| naval uses, at designated places....         | 126   | excise tax on sales of, by dealers.....                  | 293         |
| duties of, in connection with Bureau of      |       | <i>Semolina,</i>   |             |
| Aeronautics.....                             | 140   | temporary duty on.....                                   | 9           |
| expenditures from Navy contingent ap-        |       | <i>Senate,</i>   |             |
| propriations on approval of, for pur-        |       | appropriation for mileage.....                           | 1           |
| poses he may deem proper.....                | 123   | for clerks to designated committees.....                 | 1           |
| <i>Secretary of the Treasury,</i>            |       | for George Curry.....                                    | 2           |
| deficiency appropriation for expenses of     |       | for Edith Shipman.....                                   | 2           |
| office of, 1922, under Transportation        |       | for laborer in stationery room.....                      | 2           |
| and Federal Control Acts, loans,             |       | for stationery.....                                      | 2           |
| etc., to foreign Governments, and            |       | for assistant financial clerk.....                       | 2           |
| providing relief to populations of           |       | for pages.....   | 2           |
| Europe.....                                  | 36    | for session employees from close of first                |             |
| authority to provide additional hospital     |       | to beginning of second session.....                      | 325         |
| facilities for war risk and vocational       |       | deficiency appropriation for Austin Jack-                |             |
| rehabilitation patients modified....         | 37    | son.....   | 49          |
| restriction on amount for remodeling         |       | for motor vehicles.....                                  | 49          |
| plants, repealed.....                        | 37    | for fuel, etc.....                                       | 49          |
| authorized to make additional temporary      |       | amounts appropriated for clerks to desig-                |             |
| deposits in Federal land banks; con-         |       | nated committees for fiscal years                        |             |
| ditions, etc.....                            | 106   | 1921 and 1922, repealed.....                             | 1           |
| pay States amounts certified as allotted     |       | for clerical assistance to Senators, fiscal              |             |
| under Maternity and Infancy Hy-              |       | years 1921 and 1922, reduced.....                        | 1           |
| giene Act.....                               | 226   | clerks to Committee on Public Lands and                  |             |
| prescribe regulations, etc., for collecting  |       | Surveys payable from appropriation                       |             |
| tax on sales of grain for future de-         |       | for Committee on Public Lands for                        |             |
| livery.....                                  | 190   | fiscal years 1921 and 1922.....                          | 1           |
| duties of, under Antidumping Act, 1921..     | 11    | emergency appropriation for assistant                    |             |
| to prescribe duties of Undersecretary.....   | 61    | clerk to Committee on Finance, 1922                      |             |
| <i>Secretary of War,</i>                     |       | salaries of employees for August to be paid              |             |
| appropriation for Army contingent ex-        |       | August 24, 1921.....                                     | 180         |
| penses under.....                            | 68    | for November, 1921, to be paid November                  |             |
| pay restriction for civilians employees      |       | 23.....  | 325         |
| in Department under Army appro-              |       | <i>Senate Office Building,</i>                           |             |
| priations.....                               | 68    | deficiency appropriation for care, etc., of              |             |
| may sell surplus Army foodstuffs, to friend- |       | grounds.....   | 44          |
| ly Governments.....                          | 68    | for maintenance, etc.....                                | 49          |
| authorized to use Army supplies, etc., for   |       | <i>Senators,</i>   |             |
| relieving sufferers in Colorado from         |       | appropriation for mileage.....                           | 1           |
| flood of Arkansas River, etc.....            | 19    | <i>Sergeant at Arms, House of Representatives,</i>       |             |
| directed to cause survey of Calaveras River, |       | deficiency appropriation for police force,               |             |
| Calif., for control of its floods.....       | 171   | 1922, House Office Building.....                         | 49          |
| investigate feasibility of military park on  |       | <i>Service Schools, Army,</i>                            |             |
| plains of Chalmette, site of Battle          |       | appropriation for instruction expenses at                |             |
| of New Orleans, 1815.....                    | 221   | designated schools.....                                  | 69          |
| surplus Army road materials, etc., trans-    |       | <i>Seward, Alaska,</i>                                   |             |
| ferred to Secretary of Agriculture....       | 213   | additional amount authorized for com-                    |             |
| distribution among States for highway        |       | pleting railroad, etc., to Fairbanks,                    |             |
| construction, etc.....                       | 213   | from.....  | 221         |
| reservation for roads in national forests..  | 213   | railroad building at, to be retained for                 |             |
| <i>Secretary of War, Assistant,</i>          |       | court uses.....  | 141         |
| emergency appropriation for increased        |       | <i>Sewers, D. C.,</i>                                    |             |
| salary, 1922.....                            | 62    | deficiency appropriation for cleaning, etc.              |             |
| <i>Securities, United States,</i>            |       | Sheep,   |             |
| deficiency appropriation for distinctive     |       | on free list, imported for breeding purposes.            | 10          |
| paper for.....                               | 39    | temporary duty on.....                                   | 10          |
| expenses of issues of, subsequently to June  |       | <i>Shiloh National Military Park, Tenn.,</i>             |             |
| 30, 1921, payable from appropriations        |       | deficiency appropriation for continuing es-              |             |
| for expenses of loans in First and           |       | tablishment.....   | 39          |
| Second Liberty Bond Acts.....                | 36    | <i>Ship Brokers,</i>                                     |             |
| time limit for.....                          | 36    | special tax imposed on.....                              | 295         |
|  |       | <i>Shipman, Edith,</i>                                   |             |
|  |       | appropriation for services.....                          | 2           |

|  | Page.   |  | Page. |
|--|---------|--|-------|
| <i>Shipping Board, United States,</i>            |         | <i>Sirups, Finished or Fountain—Continued.</i>       |       |
| deficiency appropriation for salaries and ex-    |         | internal revenue tax on, made by soda                |       |
| penses.....                                      | 54, 198 | fountain proprietor for soft drinks...               | 285   |
| for national security and defense.....           | 54      | for bottled carbonated beverages.....                | 286   |
| for expenses Emergency Fleet Corpora-            |         | except if used for cereal beverages or               |       |
| tion .....                                       | 192     | still drinks .....                                   | 286   |
| limited to claims for maintenance and            |         | <i>Sixty-seventh Congress, First Session,</i>        |       |
| operation of vessels.....                        | 192     | appropriation for expenses incident to.....          | 1     |
| pay to attorneys restricted.....                 | 192     | <i>Slaughtering Industry (see Packers and Stock-</i> |       |
| pay restriction of officers and em-              |         | <i>yards Act).</i>                                   |       |
| ployees.....                                     | 192     | <i>Slot Machines,</i>                                |       |
| employment of certified public ac-               |         | excise tax on weighing or vending, sold by           |       |
| countants limited.....                           | 192     | producer, etc.....                                   | 292   |
| subsistence allowance.....                       | 192     | operated by manufacturer, etc.....                   | 292   |
| transporting exhibits to Rio de Janeiro          |         | <i>Smallpox,</i>                                     |       |
| Exposition to be arranged by.....                | 210     | deficiency appropriation for prevention of           |       |
| unexpended balances available for dif-           |         | epidemic.....  | 38    |
| ference in pay of members of, in                 |         | <i>Smithsonian Institution,</i>                      |       |
| office June 5, 1920.....                         | 34      | deficiency appropriation for printing and            |       |
| for compensation of members created              |         | binding for.....                                     | 50    |
| under Merchant Marine Act, for fiscal            |         | for National Museum.....                             | 198   |
| year 1921.....                                   | 35      | <i>Smokeless Powder, Navy,</i>                       |       |
| of William S. Benson as agent of the             |         | appropriation for purchase and manufac-              |       |
| President from March 4, 1921.....                | 35      | ture of.....   | 128   |
| for salaries of unconfirmed members.....         | 35      | <i>Smoking Stands,</i>                               |       |
| additional appropriation therefor.....           | 35      | excise tax on, sold by producer, etc.....            | 292   |
| <i>Ships (see Emergency Shipping Fund).</i>      |         | <i>Smoking Tobacco (see Tobacco).</i>                |       |
| <i>Shooting Galleries,</i>                       |         | <i>Snuff,</i>  |       |
| special tax on proprietors of.....               | 296     | internal revenue tax on manufactured or              |       |
| <i>Shooting Galleries and Ranges, Army,</i>      |         | imported.....  | 287   |
| appropriation for expenses.....                  | 84      | packages, etc., required for.....                    | 287   |
| deficiency appropriation for.....                | 52      | <i>Sodium Nitrate, Army,</i>                         |       |
| <i>Shopping and Hand Bags,</i>                   |         | deficiency appropriation for storage.....            | 52    |
| excise tax on, sold above specified price...     | 293     | <i>Sodium Nitrite,</i>                               |       |
| <i>Shoshone Indian Reservation, Wyo.,</i>        |         | entry, etc., of, forbidden for three months.         | 18    |
| deficiency appropriation for roads, etc....      | 45      | limited admission allowed, if no satis-              |       |
| for Indian school.....                           | 58      | factory substitute obtainable, etc..                 | 18    |
| for irrigation.....                              | 198     | restriction continued until otherwise pro-           |       |
| <i>Shows,</i>                                    |         | vided by law.....                                    | 220   |
| special tax on proprietors of; exemptions..      | 296     | <i>Soft Drinks,</i>                                  |       |
| <i>Siberia,</i>                                  |         | internal revenue tax on, sold by producer,           |       |
| free transportation, etc., to destitute soldiers |         | etc.....   | 285   |
| honorably discharged in, and their               |         | <i>Soils Bureau, Department of Agriculture,</i>      |       |
| families from Vladivostok to United              |         | deficiency appropriation for general ex-             |       |
| States.....                                      | 103     | penses.....  | 54    |
| <i>Signal Service, Army,</i>                     |         | <i>Soldier, Unknown Unidentified American,</i>       |       |
| appropriation for expenses, telegraph, tele-     |         | expenses of burial services of, at Arlington         |       |
| phone, etc., systems.....                        | 71      | Memorial Amphitheater, payable                       |       |
| electric plants at posts, etc.....               | 71      | from Army appropriation for disposi-                 |       |
| for civilian employees.....                      | 71      | tion of remains of officers.....                     | 207   |
| signal research, etc.....                        | 71      | amount limited.....                                  | 207   |
| buildings, etc., for supplies.....               | 71      | medal of honor and distinguished service             |       |
| amount for civilian employees; tele-             |         | cross to be bestowed upon body of,                   |       |
| graph and telephone service.....                 | 71      | to be buried in Arlington Memorial                   |       |
| signal equipment for organizations....           | 71      | Amphitheater, Va.....                                | 191   |
| pigeon service; photographing, etc....           | 71      | <i>Soldier, Unknown Unidentified Italian,</i>        |       |
| maintenance of Camp Alfred Vail....              | 72      | Congressional medal of honor, bestowed on,           |       |
| for Washington-Alaska cable and tele-            |         | buried in Victor Emanuel Monu-                       |       |
| graph.....                                       | 72      | ment, Rome, Italy.....                               | 204   |
| deficiency appropriation for expenses....        | 52, 196 | <i>Soldiers, Destitute (see Destitute Soldiers).</i> |       |
| for aviation increase.....                       | 196     | <i>Soldiers, etc.,</i>                               |       |
| <i>Signaling Systems, Army,</i>                  |         | appropriation for transportation of disabled,        |       |
| appropriation for researches, etc., in, by Sig-  |         | on furlough from hospitals.....                      | 94    |
| nal Corps.....                                   | 71      | deficiency appropriation for medical treat-          |       |
| <i>Sioux Indians, Different Tribes, S. Dak.,</i> |         | ment, etc.....                                       | 37    |
| deficiency appropriation for support, etc..      | 57      | <i>Solicitor, Navy Department,</i>                   |       |
| for education.....                               | 58, 197 | pay restriction on employees in, modified.           | 140   |
| for Yankton Sioux.....                           | 197     | <i>Sorghum (see also Future Trading Act),</i>        |       |
| <i>Sirups,</i>                                   |         | provisions governing contracts for future            |       |
| temporary duty on cane juice.....                | 10      | delivery of grain.....                               | 187   |
| <i>Sirups, Finished or Fountain,</i>             |         | <i>South Carolina Eastern Judicial District,</i>     |       |
| internal revenue tax on, used for soft           |         | deficiency appropriation for paying judg-            |       |
| drinks, sold by producer, etc.....               | 285     | ment of district court, to Filbrin                   |       |
| for use of bottled carbonated beverages..        | 285     | Corporation, and Cooper River Cor-                   |       |
|  |         | poration.....  | 51    |

# INDEX.

lxxv

| <i>South Carolina Eastern Judicial District—</i>  | <i>Page.</i> | <i>Special Taxes, Title X, Revenue Act of 1921—</i>  | <i>Page.</i> |
|---|--------------|--|--------------|
| Continued.  |              | Continued.   |              |
| deficiency appropriation for paying judgment of, to Charleston Farms Corporation, and Charleston Insurance and Trust Company..... | 51           | opium, coca leaves, etc.; provisions for registration, taxation, etc.....                                  | 298          |
| Eliza F. Lockwood.....  | 51           | confiscation of narcotics seized from violators of laws.....   | 301          |
| <i>South Dakota,</i>  |              | delivery for Government uses.....  | 301          |
| easements through school lands may be granted by the State.....   | 158          | seizures from unknown owners.....  | 301          |
| mineral leases within school lands may be granted by the State; limitations..   | 158          | destruction restricted.....  | 301          |
| <i>Soya Bean Oil,</i>   |              | <i>Spectacles,</i>   |              |
| temporary duty on.....  | 10           | with precious metal mountings, etc., exempt from excise tax on sales of....                                | 293          |
| <i>Spain, War with,</i>   |              | <i>Spirituuous Liquors (see also National Prohibition Act),</i>  |              |
| deficiency appropriation for pay of the Army.....   | 52           | limitation on use of prescriptions of, for medicinal purposes.....   | 222          |
| <i>Special and Select Committees, House of Representatives,</i>   |              | importing and manufacturing, forbidden, until present supply reduced below needs for nonbeverage uses..... | 222          |
| deficiency appropriation for expenses....   | 49           | alcohol excepted.....  | 222          |
| <i>Special Delivery, Postal Service,</i>  |              | <i>Staff College, Army,</i>  |              |
| deficiency appropriation for fees.....  | 42, 55       | appropriation for expenses.....  | 69           |
| <i>Special Taxes, Title X, Revenue Act of 1918,</i>   |              | <i>Stamp Taxes, Title XI, Revenue Act of 1918,</i>   |              |
| repealed.....   | 321          | repealed.....  | 321          |
| <i>Special Taxes, Title X, Revenue Act of 1921,</i>   |              | <i>Stamp Taxes, Title XI, Revenue Act of 1921,</i>   |              |
| annual excise tax levied after July 1, 1922   |              | levied on specified documents, etc., in lieu of former tax.....  | 301          |
| on domestic corporations.....   | 294          | exemptions; Federal, foreign Government, State, etc., obligations.....                                     | 301          |
| foreign corporations, for business in United States.....  | 295          | indemnity bonds to United States....   | 301          |
| exemptions; designated corporations, and insurance companies.....   | 295          | coöperative building and loan association bonds.....   | 301          |
| publicity of returns.....   | 295          | mutual ditch or irrigating companies' bonds.....   | 302          |
| annual excise tax levied after July 1, 1922, on brokers; if members of stock exchanges, etc.....                                  | 295          | unlawful use of stamps, etc.....   | 302          |
| pawnbrokers.....  | 295          | penalties and punishments for.....   | 302          |
| ship brokers.....   | 295          | cancellation requirements; other methods authorized.....   | 302          |
| customhouse brokers.....  | 295          | preparation of suitable stamps; affixing, etc.   | 302          |
| proprietors of theaters, etc.....   | 295          | collection of taxes omitted by mistake or fraud.....   | 303          |
| theaters defined; buildings, halls, etc., not included.....   | 295          | distribution of stamps for sale by postmasters.....  | 303          |
| rate for small cities, etc.....   | 296          | accountability, etc.; monthly transfers to the Treasury.....   | 303          |
| leased edifices, etc.....   | 296          | assistant treasurers and depositaries.....   | 303          |
| proprietors of circuses; required for each State, etc.....  | 296          | designated State agents, etc., for use on stock transfers.....   | 303          |
| other public exhibitions; required for each State, etc.....   | 296          | bond, etc., may be required.....   | 303          |
| Chautauquas, agricultural fairs, religious exhibitions, etc., exempt....  | 296          | <i>Schedule A.</i>   | 303          |
| street fairs.....   | 296          | bonds of indebtedness, etc.; corporate securities; renewals.....   | 303          |
| bowling alley and billiard room proprietors.....  | 296          | based on amount secured.....   | 303          |
| shooting gallery proprietors.....   | 296          | capital stock; original issues.....  | 303          |
| riding academy proprietors.....   | 296          | if without face value.....   | 303          |
| persons operating automobiles for hire..  | 296          | to be attached in stock book.....  | 304          |
| brewers, distillers, liquor dealers, etc., in business where local laws prohibit, etc.....  | 296          | sales or transfers, etc.....   | 304          |
| no penal exemption from State laws, etc.....  | 296          | if without face value.....   | 304          |
| in lieu of taxes under previous law.....  | 297          | deposits for collateral exempt.....  | 304          |
| annual tax levied on sales for preceding year by manufacturers of tobacco...  | 297          | brokers' deliveries exempt.....  | 304          |
| cigars.....   | 297          | affixing stamp in stock book; on certificate; or bill of sale.....   | 304          |
| cigarettes.....   | 297          | punishment for delivery without stamp  | 304          |
| each class separately taxed.....  | 297          | sales of produce on exchange for future delivery.....  | 304          |
| exports exempt.....   | 297          | stamped bills of sale, etc., required.....   | 304          |
| levied after July 1, 1922, on designated pleasure water craft.....  | 297          | clearing house transfers of stamped contracts exempt.....  | 304          |
| basis of tax; measurement.....  | 298          | details required on bills of sale, etc.....  | 305          |
| for part of a year on new purchases.....  | 298          | punishment for sales, etc., without stamped bills.....   | 305          |
| exemption if used without profit by organizations for relief, etc., of seamen.  | 298          | for immediate delivery in cash not taxable.....  | 305          |
| punishment for conducting business, etc., without paying tax.....   | 298          | <i>Cotton Futures, and Future Trading Acts</i>   | 305          |
|   |              | not affected.....  | 305          |

| <i>Stamp Taxes, Title XI, Revenue Act of 1921—</i> | <i>Page.</i> | <i>States—Continued.</i>                             | <i>Page.</i> |
|--|--------------|--|--------------|
| Continued.   |              | internal revenue stamps to be furnished              |              |
| drafts, promissory notes, etc.                     | 305          | agents of, for sales on stock transfers              |              |
| if secured by Liberty bonds, etc., ex-             |              | etc.   | 303          |
| empt; condition.                                   | 305          | provisions for aiding the States in con-             |              |
| veyances of realty.                                | 305          | structing interstate and intercounty                 |              |
| to secure a debt exempt.                           | 305          | highways.  | 212          |
| customhouse entries; warehouse with-               |              | reimbursement to, for losses to farmers for          |              |
| drawals.   | 305          | nonproduction, in eradicating pink                   |              |
| foreign passage tickets, except to Canada          |              | bollworm of cotton, from appropri-                   |              |
| or Mexico.   | 305          | ation therefor.                                      | 158          |
| rates exempt.                                      | 306          | restriction on allowance for.                        | 158          |
| proxies; exemptions.                               | 306          | <i>States Relations Service, Department of Agri-</i> |              |
| powers of attorney.                                | 306          | <i>culture.</i>                                      |              |
| in pension, etc., cases, bankruptcy and            |              | deficiency appropriation for general expen-          |              |
| mutual insurance cases exempt.                     | 306          | ses.   | 54, 198      |
| playing cards.                                     | 306          | <i>Statuary,</i>                                     |              |
| policies of property insurance by foreign          |              | excise tax on, sold by other than the artist;        |              |
| corporation, etc., not signed by                   |              | exceptions.  | 292          |
| agent in United States.                            | 306          | <i>Statute of Limitations,</i>                       |              |
| to be affixed by receiver, etc.                    | 306          | in criminal offenses not capital, extended           |              |
| penalty for failure.                               | 306          | to four years from committing thereof                |              |
| <i>Stamped Envelopes, etc., Postal Service,</i>    |              | to six years in frauds against the Govern-           |              |
| deficiency appropriation for freight.              | 55, 199      | ment.  | 220          |
| <i>Stamps, Internal Revenue,</i>                   |              | applicable to prior acts, etc., where time           |              |
| deficiency appropriation for redemption of.        | 196          | has not fully run.                                   | 220          |
| issue authorized of, to replace those lost or      |              | excluding acts, etc., already barred                 |              |
| unavoidably destroyed, on packages                 |              | under existing laws.                                 | 220          |
| of distilled spirits duly stamped.                 | 319          | <i>Steamboat Inspection Service,</i>                 |              |
| <i>Standards Bureau, Department of Commerce,</i>   |              | deficiency appropriation for contingent              |              |
| deficiency appropriation for testing struc-        |              | expenses.  | 47, 54       |
| tural materials, from Census Office                |              | available in 1922.                                   | 47           |
| appropriation 1922.                                | 47           | <i>Sterling, Ill.,</i>                               |              |
| disseminating information, etc., tend-             |              | bridge authorized across Rock River at.              | 325          |
| ing to improve, etc., building con-                |              | <i>"Sterling," U. S. Ship,</i>                       |              |
| struction, housing, etc.                           | 48           | deficiency appropriation for refund to               |              |
| for investigating problems of industrial           |              | charterers of.                                       | 44           |
| development, 1922.                                 | 48           | <i>Stilettoes,</i>                                   |              |
| for cooperative standardizing, testing,            |              | excise tax on, sold by producer, etc.                | 292          |
| and inspecting instruments, devices,               |              | <i>Still Drinks,</i>                                 |              |
| etc., used in industries and by the                |              | internal revenue tax on, containing less             |              |
| Government, 1922.                                  | 48           | than half of one per cent of alcohol,                |              |
| for general expenses.                              | 54           | sold by producer, etc.                               | 285          |
| for military research.                             | 54, 199      | <i>Stillts,</i>                                      |              |
| for testing structural materials.                  | 54, 58       | additional special tax on manufacturers of           | 296          |
| for gauge standardization.                         | 58, 199      | <i>Stock, Certificates of,</i>                       |              |
| <i>Star Routes, Postal Service,</i>                |              | stamp tax on issues, sales, etc., of.                | 301          |
| deficiency appropriation for.                      | 54, 69, 199  | <i>Stock Dividends,</i>                              |              |
| <i>State, War, and Navy Department Buildings,</i>  |              | not subject to income tax.                           | 228          |
| deficiency appropriation for fuel, lights,         |              | if subsequently redeemed, the amount re-             |              |
| etc.   | 54, 198      | ceived to be treated as a taxable                    |              |
| <i>Statement of Appropriations,</i>                |              | dividend.  | 229          |
| for third session, Sixty-sixth Congress, to        |              | <i>Stockyards (see Packers and Stockyards Act,</i>   |              |
| include Army, Navy, and Second                     |              | 1921).   |              |
| Deficiency Appropriation Acts, first               |              | <i>Stone, etc.,</i>                                  |              |
| session, Sixty-seventh Congress.                   | 48           | deficiency appropriation for investigating           |              |
| <i>Statements of Receipts and Expenditures of</i>  |              | structural materials of, 1922.                       | 48           |
| <i>the Government,</i>                             |              | <i>Storage and Shipping Facilities, Army,</i>        |              |
| codification of laws relating to, by Bureau        |              | appropriation for buildings, docks, tracks,          |              |
| of the Budget, directed, etc.                      | 22           | etc., for inland and port.                           | 86           |
| <i>States,</i>                                     |              | amounts available after July 1, 1921.                | 87           |
| amounts authorized for use of, in promo-           |              | fund not to be used for clerical services            |              |
| tion of welfare and hygiene of ma-                 |              | of Quartermaster Corps.                              | 87           |
| ternity and infancy.                               | 224          | for power plant for warehouse No. 5,                 |              |
| apportionment in ratio of population.              | 224          | Philadelphia, Pa.                                    | 87           |
| subject to equal sums therefrom.                   | 224          | deficiency appropriation for.                        | 196          |
| acceptance, etc., by legislatures of, re-          |              | <i>Street Fairs,</i>                                 |              |
| quired.  | 225          | special tax on.                                      | 296          |
| temporary, by governor, awaiting legis-            |              | <i>Streets, Avenues, etc., D. C.,</i>                |              |
| lative action.                                     | 225          | deficiency appropriation for repairs.                | 33           |
|  |              | for cleaning, etc.                                   | 33           |

# INDEX.

lxxvii

|   | Page.   |   | Page.        |
|---|---------|---|--------------|
| <i>Structural Materials,</i>  |         | <i>Supreme Court, D. C.,</i>  |              |
| deficiency appropriation for investigating,   | 48      | deficiency appropriation for fees of witnesses.....   | 32           |
| of stone, etc., 1922.....   | 54, 58  | for bailiffs, etc.....  | 32           |
| for testing.....  |         | for miscellaneous expenses.....   | 32, 192, 198 |
| <i>Submarine Cables,</i>  |         | for paying judgment of, to John B. Dahlgren.....  | 50           |
| landing or operation of, connecting with a foreign country forbidden, except by license from the President..... | 8       | <i>Supreme Court of the United States,</i>  |              |
| present unlicensed cables may continue operations for 90 days.....  | 8       | deficiency appropriation for pay to widow of late Chief Justice Edward Douglass White.....                                | 40           |
| not applicable if wholly within continental United States.....  | 8       | for printing and binding for.....   | 50           |
| licenses may be withheld or revoked, to aid in securing similar rights in foreign countries.....                | 8       | estimates of, for appropriations to be submitted by the President without revision.....                                   | 20           |
| maintaining American rights, etc., therein.....   | 8       | <i>Supreme Court Reports,</i>   |              |
| promoting security of the United States.....  | 8       | deficiency appropriation for Volume 253..   | 40           |
| granted upon terms to assure just rates, etc.....   | 8       | <i>Sureties (see Penal Bonds).</i>  |              |
| no exclusive rights by, to licensees....  | 8       | <i>Surety Bonds,</i>  |              |
| control by Interstate Commerce Commission over messages, not impaired....                                       | 8       | stamp tax on.....   | 303          |
| prevention of illegal landing authorized..  | 8       | <i>Surgeon General's Office, War Department,</i>  |              |
| jurisdiction of Federal courts to enjoin unlicensed landing or operation.....                                   | 8       | appropriation for Army Medical Museum..   | 88           |
| punishment for violations.....  | 8       | for library of.....   | 88           |
| comprehensive meaning of "United States" power to rescind, etc., rights declared.....                           | 9       | <i>Surgical Instruments,</i>  |              |
| <i>Submarine Torpedo Boats, Navy,</i>   |         | with precious metal mountings, etc., exempt from excise tax on sales of....   | 293          |
| appropriation for authorized, increase of the Navy.....   | 139     | <i>Surtaxes,</i>  |              |
| <i>Subsistence, Army,</i>   |         | additional exemption of, on income from specified Liberty bonds, in lieu of provisions for, during World War....          | 317          |
| appropriation for supplies, etc.....  | 76      | imposed on individual net income.....   | 233          |
| for transport service.....  | 77      | <i>Surveying, Public Lands,</i>   |              |
| for meals, etc.....   | 77      | deficiency appropriation for.....   | 53           |
| sales to officers, etc.....   | 77      | for surveyors general, etc.....   | 197          |
| for food, etc., for rifle matches.....  | 77      | <i>Surveyors General,</i>   |              |
| for payments; commutation of rations..  | 77      | deficiency appropriation for salaries, etc..  | 197          |
| for advertising.....  | 77      | for contingent expenses.....  | 197          |
| for prizes for cooks, bakers, etc.....  | 77      | <i>Surveys and Maps, Military,</i>  |              |
| for preserving, accounting, etc.....  | 77      | appropriation for expenses, etc.; assistance of other departments, etc.....   | 89           |
| deficiency appropriation for.....   | 52      | <i>Sutler, Charles,</i>   |              |
| <i>Sugar,</i>   |         | unexpended balance available for salary of, as unconfirmed member of Shipping Board.....                                  | 35           |
| temporary duty on, tank bottoms, cane sirups, etc.....  | 10      | additional appropriation for.....   | 35           |
| molasses.....   | 10      | <i>Swan Land and Cattle Company,</i>  |              |
| drainings and sweepings.....  | 10      | exchange of lands with, for North Platte irrigation project, Nebr.-Wyo.....   | 147          |
| <i>Sugar of Milk,</i>   |         | <i>Sword Canes,</i>   |              |
| temporary duty on.....  | 10      | excise tax on, sold by producer, etc.....   | 292          |
| <i>Suit Cases,</i>  |         | <i>Synthetic Organic Drugs or Chemicals,</i>  |              |
| excise tax on, sold above specified price by manufacturer.....  | 293     | entry, etc., of, forbidden for three months: limited admission allowed, if no satisfactory substitute obtainable, etc.... | 18           |
| <i>Sulphur River,</i>   |         | continued until otherwise provided by law.....  | 220          |
| bridge authorized across, between Bowie and Cass Counties, Tex.....   | 204     |   |              |
| <i>Superintendent of Documents, Government Printing Office,</i>   |         |   |              |
| deficiency appropriation for contingent expenses.....   | 50      |   |              |
| <i>Supplemental Estimates (see also Budget and Accounting Act, 1921),</i>                                       |         |   |              |
| provisions regulating transmission of, to Congress.....   | 21      |   |              |
| <i>Supplies, Postal Service,</i>  |         |   |              |
| deficiency appropriation for shipping.....  | 55, 59  |   |              |
| <i>Supplies, Services, and Transportation, Army,</i>  |         |   |              |
| deficiency appropriation for.....   | 56, 196 |   |              |
| <i>Supplies, United States Courts,</i>  |         |   |              |
| deficiency appropriation for.....   | 41      |   |              |

## T.

|   |     |
|---|-----|
| <i>Table Waters,</i>  |     |
| internal revenue tax on bottled, sold by producer, etc.....           | 285 |
| <i>Tahlequah, Okla.,</i>  |     |
| deficiency appropriation for Cherokee Orphan Training School.....     | 45  |
| <i>Tank Service, Army,</i>  |     |
| appropriation for civilian employees at headquarters and schools..... | 93  |
| for incidental expenses of schools.....                               | 94  |
| <i>Tanks, etc., Army,</i>   |     |
| appropriation for purchase, manufacture, etc.....                     | 91  |

|   | Page.       |  | Page.      |
|---|-------------|--|------------|
| <i>Target Practice, Army Small Arms, etc.,</i><br>appropriation for ammunition for, targets,<br>etc.....  | 91          | <i>Telegraph, etc., Systems, Army,</i><br>appropriation for expenses of Signal Corps,<br>operating, etc.....   | 71         |
| for marksmen's medals, prizes, etc.....   | 91          | <i>Telephone Companies,</i><br>may apply for consolidation of properties..   | 27         |
| <i>Tariff (see Emergency Tariff Act).</i>   |             | public hearings by Interstate Commerce<br>Commission on.....   | 27         |
| <i>Tariff Commission,</i><br>deficiency appropriation for investigations<br>of customs laws, regulations, etc.,<br>by.....                                      | 193         | notice to State officials, etc., of.....   | 27         |
| <i>Tax Simplification Board, Treasury Depart-<br/>ment,</i><br>establishment of.....  | 317         | certificate authorizing, if action approved<br>laws opposing consolidation, etc., not<br>applicable.....   | 27         |
| three members representing the public,<br>appointed by the President.....   | 317         | existing State powers not restricted...  | 28         |
| Internal Revenue Bureau, appointed by<br>the Secretary.....   | 317         | <i>Telephone Service,</i><br>revenue tax on messages, etc., in United<br>States.....   | 284        |
| public members to serve without pay, but<br>allowed traveling, etc., expenses...  | 317         | <i>Telephone Systems, Army,</i><br>appropriation for expenses of Signal Corps,<br>operating, etc.....  | 71         |
| Bureau members to serve without addi-<br>tional pay.....  | 317         | <i>Ten Eyck, Peter G.,</i><br>payment to, for rent, out of meat inspec-<br>tion appropriation, 1921.....   | 46         |
| clerical assistance, office supplies, etc., to<br>be furnished.....   | 317         | <i>Tennessee Middle Judicial District,</i><br>deficiency appropriation for district at-<br>torney.....   | 41         |
| procedure, forms, etc., of Bureau to be in-<br>vestigated, and recommendations for<br>simplification made.....  | 317         | <i>Tents, etc., Army,</i><br>loan authorized of, for United Confederate<br>Veterans' encampment, Chattanooga,<br>Tenn.....   | 203        |
| report to Congress; control of expenses....   | 317         | <i>Termination of World War,</i><br>Resolution construing, not affected by<br>declaration of end thereof.....  | 107        |
| appropriation for expenses.....   | 317         | <i>Territorial Delegates,</i><br>appropriation for mileage.....  | 2          |
| existence to terminate December 31, 1924.   | 317         | <i>Texas National Guard,</i><br>claims against, for Army property lost, etc.,<br>during floods at Corpus Christi, Tex.,<br>in 1919, canceled.....  | 94         |
| <i>Taxes, Internal Revenue (see also Revenue<br/>Act of 1921),</i><br>deficiency appropriation for enforcing<br>opium, etc., special.....                       | 37, 51      | <i>Texas State Prison System,</i><br>deficiency appropriation for reimbursing,<br>discharge gratuity.....  | 194        |
| for collecting war revenue.....   | 51, 196     | <i>Theaters,</i><br>internal revenue tax on admissions to.....   | 290        |
| for collecting income.....  | 51, 196     | special tax on proprietors of.....   | 295        |
| for refunding collections.....  | 51, 56, 196 | places, etc., exempt.....  | 295        |
| for refunding illegally collected.....  | 196         | <i>Thirteenth Census,</i><br>deficiency appropriation for expenses of..  | 54         |
| additional, on options for purchase or sale<br>of grain.....  | 187         | <i>Thompson, Frederick I.,</i><br>unexpended balance available for salary<br>of, as unconfirmed member of Ship-<br>ping Board.....   | 35         |
| limited to specified contracts.....   | 187         | additional appropriation for.....  | 35         |
| contracts for sale of grain for future de-<br>livery.....   | 187         | <i>Thrift Stamps,</i><br>expenses of sale, etc., of, in office of Com-<br>missioner of Public Debt, and Post<br>Office Department, payable from<br>appropriation for expenses of loans,<br>1922..... | 36         |
| exceptions; if seller, owner, or grower of,<br>if either party owner or renter of land<br>on which grown.....   | 187         | <i>Time Measuring Devices,</i><br>no part of Army appropriations to pay<br>officers, etc., using, on work of an<br>employee.....   | 94         |
| if associations of owners or growers of<br>grain, or owners or renters of land...   | 187         | naval appropriations to pay officers, etc.,<br>using, on work of employees.....  | 139        |
| if made through designated boards of<br>trade.....  | 187         | <i>Tires, Automobile,</i><br>excise tax on sales of, and accessories, by<br>producer, etc.....   | 291        |
| punitive, for violations of Future Trading<br>Act.....  | 191         | to other than manufacturer, etc.....   | 291        |
| <i>Taxpayers, Income,</i><br>lists of, to be prepared for each internal<br>revenue district.....  | 270         | <i>Tobacco (see also Cigars, Tobacco, and Manu-<br/>factures of),</i><br>tax on manufactured or imported cigars...<br>cigarettes.....  | 286<br>287 |
| <i>Teal, Joseph N.,</i><br>unexpended balance available for salary<br>of, as unconfirmed member of Ship-<br>ping Board.....                                     | 35          | manufactured tobacco and snuff.....  | 287        |
| additional appropriation for.....   | 35          |  |            |
| <i>Telegraph and Telephone Messages Tax, Title<br/>V, Revenue Act of 1921,</i><br>levied from January 1, 1922, on messages<br>by telegraph, telephone, etc..... | 284         |  |            |
| only one tax for a transmission.....  | 284         |  |            |
| leased wire or special circuit service....  | 284         |  |            |
| news and company business excepted.   | 284         |  |            |
| refund directed of unused railroad tickets<br>and mileage books.....  | 284         |  |            |
| payment of, by user.....  | 284         |  |            |
| collection, returns, etc., by receiver....  | 284         |  |            |
| refund of tax, from receipts.....   | 284         |  |            |
| contents, etc., of returns.....   | 284         |  |            |
| on filing returns.....  | 284         |  |            |
| penalty for failure.....  | 285         |  |            |
| <i>Telegraph Cables (see Submarine Cables).</i>   |             |  |            |

| <i>Tobacco—Continued.</i>                           | Page.       | <i>Transportation, Army—Continued.</i>                 | Page.            |
|---|-------------|--|------------------|
| temporary duty on wrapper.....                      | 10          | appropriation for; accommodations on trans-            |                  |
| mixed leaf.....                                     | 10          | ports to Porto Rican officials, etc....                | 81               |
| filler.....   | 11          | additional pay to employees on harbor                  |                  |
| classification as "wrapper" or "filler".....        | 11          | boats.....   | 81               |
| <i>Tobacco, etc.,</i>                               |             | purchase of motor vehicles restricted..                | 81               |
| forfeited, etc., not to be sold if price offered    |             | cost of transporting civilian employees,               |                  |
| less than tax due.....                              | 205         | etc., on designated Army activities,                   |                  |
| destruction may be ordered.....                     | 205         | payable therefrom.....                                 | 81               |
| delivery authorized to hospitals for mili-          |             | deficiency appropriation for.....                      | 52, 196          |
| tary or naval forces.....                           | 205         | transfer from designated Quartermaster                 |                  |
| <i>Tobacco Manufacturers,</i>                       |             | Corps appropriations, 1922, of amount                  |                  |
| special tax imposed on sales by; rates.....         | 297         | necessary for.....                                     | 82               |
| sales for export exempt.....                        | 297         | <i>Transportation, Diplomatic and Consular Ser-</i>    |                  |
| <i>Toilet Cases,</i>                                |             | <i>vice,</i>   |                  |
| excise tax on fitted, sold above specified          |             | deficiency appropriation for.....                      | 53, 58, 196      |
| price by manufacturer.....                          | 293         | <i>Transportation, etc., Facilities, Title V, Rev-</i> |                  |
| <i>Tomah, Wis.,</i>                                 |             | <i>enue Act of 1918,</i>                               |                  |
| deficiency appropriation for Indian school          |             | repealed.....  | 320              |
| at.....   | 45, 58      | <i>Transportation, Soldiers, Sailors, and Marines,</i> |                  |
| <i>Tombigbee River,</i>                             |             | appropriation for paying carriers difference           |                  |
| time extended for bridging, Ironwood Bluff,         |             | between schedule rates and one cent                    |                  |
| Miss.....   | 324         | a mile for, when on furlough from                      |                  |
| <i>Tools,</i>                                       |             | hospitals.....   | 94               |
| deficiency appropriation for cooperative            |             | <i>Transports, Army,</i>                               |                  |
| establishing methods of testing, etc.,              |             | accommodation to Porto Rican officials,                |                  |
| used in industries and by the Govern-               |             | etc., on.....  | 81               |
| ment, 1922.....                                     | 48          | free passage to United States on, to desti-            |                  |
| <i>Toppenish-Simcoe Creek Irrigation Project,</i>   |             | tute soldiers honorably discharged                     |                  |
| <i>Wash.,</i>                                       |             | in Europe, and their families.....                     | 103              |
| deficiency appropriation for.....                   | 58          | in Siberia, from Vladivostok.....                      | 103              |
| <i>Torpedo Boats,</i>                               |             | <i>Traveling Bags, etc.,</i>                           |                  |
| appropriation for, increase of the Navy....         | 139         | excise tax on, sold above specified price by           |                  |
| <i>Trachoma,</i>                                    |             | manufacturer.....                                      | 293              |
| deficiency appropriation for prevention of          |             | <i>Treasury Decisions,</i>                             |                  |
| epidemic.....                                       | 38          | in internal revenue cases, not retroactive if          |                  |
| <i>Transportation Act, 1920.</i>                    |             | reversed, unless by order of court... ..               | 314              |
| deficiency appropriation for expenses of            |             | <i>Treasury Department,</i>                            |                  |
| office of Secretary of the Treasury,                |             | deficiency appropriation for fiscal year 1922,         |                  |
| 1922, under.....                                    | 36          | Commissioner of Public Debt.....                       | 36               |
| <i>Transportation Act, 1920, Amendments,</i>        |             | Commissioner of Accounts and De-                       |                  |
| telephone companies may consolidate                 |             | posits.....  | 36               |
| their properties, etc.....                          | 27          | Division of Deposits.....                              | 36               |
| hearings on applications.....                       | 27          | Division of Bookkeeping and Warrants.                  | 36               |
| certificate authorizing to be given by              |             | expenses of Secretary's Office under                   |                  |
| Interstate Commerce Commission...                   | 27          | designated acts, etc.....                              | 36               |
| State powers not restricted.....                    | 28          | additional counters in office of Comp-                 |                  |
| <i>Transportation and Recruiting, Marine Corps,</i> |             | troller of the Currency.....                           | 36               |
| appropriation for.....                              | 138         | for internal revenue.....                              | 37, 51, 56, 196  |
| <i>Transportation and Recruiting, Navy,</i>         |             | for War Risk Insurance Bureau.....                     | 37, 196          |
| appropriation for.....                              | 124         | for Public Health Service.....                         | 38, 51, 55, 196  |
| transporting dependents of enlisted                 |             | for public buildings.....                              | 38, 51, 56, 196  |
| men.....  | 124         | for distinctive paper, securities, na-                 |                  |
| deficiency appropriation for.....                   | 52, 56, 197 | tional currency, etc.....                              | 39               |
| <i>Transportation, Army,</i>                        |             | for contingent expenses, files, Coast                  |                  |
| appropriation for, and supplies.....                | 79          | Guard, etc.....  | 39               |
| travel allowance National Guard en-                 |             | for printing and binding for.....                      | 50               |
| listed men, and officers on discharge.              | 79          | for judgments, Court of Claims, under..                | 51,              |
| Army supplies.....                                  | 79          | 196, 196   |                  |
| funds of the Army.....                              | 79          | for collecting customs revenue..                       | 51, 55, 193, 196 |
| payment to land grant roads, not bond               |             | for quarantine service.....                            | 51, 196          |
| aided; allowance.....                               | 80          | for prevention of epidemics.....                       | 51               |
| full pay to excepted roads.....                     | 80          | for Coast Guard.....                                   | 51, 56, 196      |
| draft animals, wagons, drayage.....                 | 80          | for New York, N. Y., assay office.....                 | 51, 196          |
| vessels; transport service.....                     | 80          | for collecting war revenue.....                        | 56               |
| allotments for methods of transporta-               |             | for Engraving and Printing Bureau....                  | 56, 196          |
| tion; animal drawn, water, rail, and                |             | for Customs Division.....                              | 193              |
| motor.....  | 80          | emergency appropriation for Undersecre-                |                  |
| purchase of animals or animal drawn                 |             | tary.....  | 61               |
| vehicles, limited.....                              | 80          | appointment, salary, duties, etc.....                  | 61               |
| use for motor vehicles restricted.....              | 80          | for printing and stationery division, 1922.            | 61               |
| disposal of additional motor vehicles;              |             | for mail and files division, additional em-            |                  |
| aggregate.....                                      | 81          | ployees, 1922.....                                     | 61               |
|   |             | for Comptroller of the Currency, 1922...               | 61               |



| <i>Treasury Department—Continued.</i>  | Page.           | U.  | Page.                |
|--|-----------------|---|----------------------|
| emergency appropriation for Auditor for Post Office Department, 1922; reappropriations.....  | 62              | <i>Undersecretary of the Treasury,</i><br>emergency appropriation for, 1922.....                                    | 61                   |
| for public buildings, hospitals for ex-soldiers, 1922.....   | 62              | appointment, salary, duties, etc.....   | 61                   |
| establishment of Bureau of the Budget in; duties, etc.....   | 22              | <i>Uniforms, Army,</i><br>issue of, to discharged enlisted men repealed.....  | 82                   |
| expenses of public debt issues subsequent to June 30, 1921, payable from appropriations for expenses of loans in First and Second Liberty Bond Acts.....   | 36              | exception to those serving between April 6, 1917 and January 1, 1920.....   | 82                   |
| time limitation for.....   | 36              | <i>United States Court for China,</i><br>deficiency appropriation for salaries and expenses.....                    | 53                   |
| expenses of war savings and thrift stamps by Commissioner of Public Debt and Post Office Department allowed from appropriation for "Expenses of Loans, 1922".....  | 36              | in probate proceedings in, citizens deemed residents of United States.....  | 283                  |
| furniture, etc., of War Trade section, State Department, transferred to.....   | 192             | estate tax to be paid to clerk of court if no property in United States.....  | 283                  |
| powers and duties of Comptroller and Auditors, vested in General Accounting Office.....  | 24              | to collector of internal revenue if any part in United States.....  | 283                  |
| Tax Simplification Board established in.. composition, duties, etc.....  | 317             | payment, collection, etc., to clerk....   | 283                  |
| appropriation for expenses.....  | 317             | former authorization of clerk repealed..  | 284                  |
| <i>Treasury Savings Certificates,</i><br>limit of holdings by one person increased to \$5,000.....   | 321             | <i>United States Courts,</i><br>deficiency appropriation for special assistants.....                                | 40                   |
| <i>Trianon, Treaty of (see also World War),</i><br>reservation of all rights, etc., of United States and its nationals, stipulated by.....   | 106             | for clerks, etc.....  | 41, 54, 194          |
| <i>Trumbull Steel Company,</i><br>may bridge Mahoning River, Warren, Ohio. may dam Mahoning River, near Warren, Ohio; use for power, etc., forbidden. consent to terminate if interfering water-power development..... | 3<br>141<br>142 | appointed; limit.....   | 41                   |
| removal, etc.....  | 142             | receiving pay from private litigants to vacate appointment.....   | 41                   |
| <i>Trunks,</i><br>excise tax on, sold above specified price by manufacturer, etc.....  | 293             | for commissioners.....  | 41, 55, 59, 199      |
| <i>Trust Companies (see Banks, etc.).</i>  |                 | for jurors.....   | 41, 59, 194          |
| <i>Trusts,</i><br>income of property held under, subject to income tax.....  | 246             | for supplies.....   | 41                   |
| <i>Truzon Canyon, Ariz.,</i><br>deficiency appropriation for Indian school at.....   | 45              | for support of prisoners.....   | 41, 55, 59, 194, 199 |
| <i>Tuberculosis, D. C.,</i><br>deficiency appropriation for preventing spread of.....  | 31              | miscellaneous; Alaska.....  | 41, 55, 194          |
| for dispensaries for treating.....   | 31              | allowance to attorney for Tennessee middle district.....  | 41                   |
| <i>Tuberculosis, etc., Animal,</i><br>deficiency appropriation for payment for animals destroyed.....  | 46              | for penitentiary, Atlanta, Ga.....  | 41, 194              |
| <i>Tuberculosis Hospital, D. C.,</i><br>deficiency appropriation for maintenance..   | 32              | for John J. Mitchell.....   | 41                   |
| <i>Tug Fork of Big Sandy River,</i><br>bridge authorized across, Borderland, W. Va.....  | 65              | for Joseph E. Lachance.....   | 41                   |
| <i>Turkey,</i><br>deficiency appropriation for interpreters and guards, dominions of.....  | 198             | for O. T. Wood.....   | 41                   |
| <i>Turtle Mountain Band of Chippewa Indians, N. Dak.,</i><br>deficiency appropriation for support.....   | 45              | for law books for judicial officers.....  | 41                   |
| <i>Typhus Fever,</i><br>deficiency appropriation for prevention of epidemic.....   | 38              | for paying judgments of.....  | 50, 195              |
|  |                 | for marshals.....   | 54, 58, 194, 199     |
|  |                 | for witnesses.....  | 55, 199              |
|  |                 | for district attorneys.....   | 58, 194, 199         |
|  |                 | for Texas prison commissioners, reimbursement.....  | 194                  |
|  |                 | for Judd and Detweiler.....   | 194                  |
|  |                 | for marshal, Oklahoma western judicial district.....  | 194                  |
|  |                 | for penitentiary, Leavenworth, Kans..   | 194                  |
|  |                 | for penitentiary, McNeil Island, Wash...  | 194                  |
|  |                 | North Dakota district, additional judge authorized for.....   | 66                   |
|  |                 | West Virginia southern district; additional judge authorized for.....   | 67                   |
|  |                 | interest allowed in judgments of, in claims for erroneous collection of taxes, etc., under Revenue Act of 1921..... | 316                  |
|  |                 | jurisdiction in cases of revivor, extended to equity and admiralty suits.....                                       | 323                  |
|  |                 | service to be made on executor, etc., before settlement of decedent's estate..                                      | 324                  |
|  |                 | statute of limitations in criminal cases extended to four years.....  | 220                  |
|  |                 | in frauds against the Government, to six years.....   | 220                  |
|  |                 | applicable to prior acts, etc., if, has not expired.....  | 220                  |
|  |                 | not applicable if barred by, under existing laws.....   | 220                  |
|  |                 | <i>United States Securities,</i><br>deficiency appropriation for distinctive paper.....                             | 39                   |

# INDEX.

lxxx

| <i>United States Securities—Continued.</i>                 | Page. | <i>Venango County, Pa.,</i>                        | Page. |
|--|-------|--|-------|
| exemptions allowed after January 1, 1921,                  |       | may bridge Allegheny River, Oil City, Pa.          | 104   |
| from surtaxes, and war and excess                          |       | <i>Vending Machines, Slot,</i>                     |       |
| profits taxes on interest from 4 and                       |       | excise tax on, sold by producer, etc.              | 292   |
| 4½ per cent liberty bonds.                                 | 317   | operated by manufacturer, etc.                     | 292   |
| amount until two years after proclaimed                    |       | <i>Veneral Diseases (see Interdepartmental</i>     |       |
| termination of World War.                                  | 317   | Social Hygiene Board).                             |       |
| for three years more.                                      | 317   | <i>Veneral Diseases, D. C.,</i>                    |       |
| additional to prior exemptions, and on                     |       | deficiency appropriation for dispensaries          |       |
| converted 3½ per cent bonds.                               | 317   | for treating.                                      | 31    |
| in lieu of exemptions during the war.                      | 318   | <i>Versailles, Treaty of (see also World War),</i> |       |
| expenses of issues of, subsequently to June                |       | reservation of all rights, etc., of United         |       |
| 30, 1921, payable from appropriations                      |       | States and its nationals stipulated by             | 106   |
| for expenses of loans in First                             |       | <i>Vessels (see Emergency Shipping Fund).</i>      |       |
| and Second Liberty Bond Acts.                              | 36    | <i>Veterans' Bureau, United States,</i>            |       |
| time limit for.  | 36    | established as an independent Bureau under         |       |
| notes or certificates of indebtedness accepted             |       | the President.                                     | 147   |
| in payment of internal revenue taxes other than stamp.     | 316   | Director; appointment; salary.                     | 147   |
| Victory loan notes, uses and authorized                    |       | office of Director, War Risk Insurance             |       |
| issue extended.  | 321   | Bureau, abolished and powers transferred to.       | 148   |
| <i>United States Shipping Board (see Shipping</i>          |       | to prescribe technical and administrative          |       |
| <i>Board, United States).</i>                              |       | staff.   | 148   |
| <i>United States Veterans' Bureau (see Veterans'</i>       |       | powers and authority conferred upon.               | 148   |
| <i>Bureau, United States).</i>                             |       | transfer to, of all duties, etc., of War Risk      |       |
| <i>University of Washington,</i>                           |       | Insurance Bureau.                                  | 148   |
| granted San Juan Military Reservation,                     |       | Rehabilitation Division of Vocational              |       |
| Wash., for biological station and research                 |       | Education Board.                                   | 148   |
| purposes.  | 173   | Public Health personnel, facilities, etc.,         |       |
| <i>Unknown Unidentified American Soldier,</i>              |       | of War Risk Bureau.                                | 148   |
| expenses of burial services of, at Arlington               |       | officers detailed from, to retain rank,            |       |
| Memorial Amphitheater payable                              |       | etc.   | 148   |
| from Army appropriation for disposition                    |       | records, files, etc., of designated offices.       | 148   |
| of remains of officers, etc.                               | 207   | central office to be established in District of    |       |
| amount limited.  | 207   | Columbia.  | 149   |
| medal of honor and distinguished service                   |       | regional and suboffices elsewhere as               |       |
| cross to be bestowed upon body of,                         |       | deemed necessary.                                  | 149   |
| to be buried in Arlington Memorial                         |       | powers and duties of regional, similar to.         | 149   |
| Amphitheater and Chapel, Va.                               | 191   | of suboffices limited.                             | 149   |
| <i>Unknown Unidentified Italian Soldier,</i>               |       | regional and suboffices to terminate June          |       |
| medal of honor to be bestowed upon, buried                 |       | 30, 1926.  | 149   |
| in Victor Emmanuel Monument,                               |       | earlier, allowed of any office.                    | 149   |
| Rome, Italy.   | 204   | War Risk and Rehabilitation beneficiaries          |       |
| <i>Urgent Deficiencies (see Deficiency Appropriations,</i> |       | placed under.                                      | 149   |
| <i>Urgent).</i>  |       | appropriations for, made available.                | 149   |
| <i>Utah,</i>   |       | subject to control of Director.                    | 149   |
| deficiency appropriation for support, etc.,                |       | Director vested with power to execute Act.         | 149   |
| Indians in.  | 197   | facilities of available Government agencies        |       |
| consent given to negotiations for apportioning             |       | to be utilized by.                                 | 149   |
| waters of Colorado River,                                  |       | additional to be furnished if necessary.           | 150   |
| etc., between, and designated States                       | 172   | inspection service for examination of              |       |
| agreement subject to approval of legislature               | 172   | hospital facilities, etc., authorized in           | 150   |
| and Congress.  |       | other agencies may be used.                        | 150   |
|  |       | reports and recommendations to be made             |       |
|  |       | to Director.                                       | 150   |
|  |       | further hospitalization, etc., authorized if       |       |
|  |       | utilized services unsatisfactory.                  | 150   |
|  |       | purchase, etc., of additional facilities.          | 150   |
|  |       | added to equipment of bureau and                   |       |
|  |       | other Government agencies.                         | 150   |
|  |       | contracts with States, etc., if Government         |       |
|  |       | facilities not sufficient.                         | 150   |
|  |       | hospitals of Public Health Service may be          |       |
|  |       | transferred to Director of.                        | 150   |
|  |       | use restricted to beneficiaries of.                | 150   |
|  |       | details of employees to examine compensation       |       |
|  |       | and insurance claims.                              | 150   |
|  |       | travel allowance limited.                          | 151   |
|  |       | rules for conduct of beneficiaries under, to       |       |
|  |       | be made.   | 151   |
|  |       | penalty for breach of.                             | 151   |
|  |       | appeal if, involves forfeiture.                    | 151   |
|  |       | board of discipline and morale to consider         |       |
|  |       | appeals.   | 151   |
| <i>Valises, etc.,</i>                                      |       |  |       |
| excise tax on, sold above specified price by               |       |  |       |
| manufacturer.  | 293   |  |       |
| <i>Vashon Military Reservation, Wash., Abandoned,</i>      |       |  |       |
| survey and subdivision of lands in,                        |       |  |       |
| directed.  | 142   |  |       |
| disposal of tracts to occupants under former               |       |  |       |
| lease.   | 142   |  |       |
| appraisal, etc.; mode of payment.                          | 142   |  |       |
| public sale of tracts not purchased by                     |       |  |       |
| occupants.   | 143   |  |       |
| lands for lighthouse and roadway uses                      |       |  |       |
| reserved.  | 143   |  |       |
| <i>Veal,</i>   |       |  |       |
| temporary duty on.   | 10    |  |       |
| <i>Vehicles, Passenger,</i>                                |       |  |       |
| authorization of expenditures for horse and                |       |  |       |
| motor, in Indian service.                                  | 209   |  |       |

|  | Page. |   | Page.       |
|--|-------|---|-------------|
| <i>Veterans' Bureau, United States—Continued.</i>    |       | <i>Vocational Education, Federal Board for (see</i> | <i>Page</i> |
| board of discipline and morale; qualifica-           |       | Federal Board for Vocational Edu-                   |             |
| tions of members, etc.....                           | 151   | cation).  |             |
| decision of, final.....                              | 151   | <i>Vocational Training, etc., Army,</i>             |             |
| monthly compensation allotments by hos-              |       | appropriation for instruction, equipment,           |             |
| pital beneficiaries to be prescribed..               | 151   | etc.....  | 85          |
| unallotted portion to be deposited in the            |       | civilian and Army instructors.....                  | 85          |
| Treasury.....  | 151   | salary restrictions of civilian specialists         | 85          |
| payment, etc.; funeral expenses, etc.,               |       | disposal of farm products, etc.....                 | 85          |
| allowed from.....                                    | 151   |   |             |
| allotments to be invested, etc.....                  | 151   | W.  |             |
| free treatment to persons disabled, etc., in         |       | <i>Wabash River,</i>                                |             |
| active service since April 6, 1917...                | 152   | dam authorized across, by Huntington,               |             |
| if incurred in line of duty.....                     | 152   | Ind., for water supply.....                         | 143         |
| time limit for making applications for...            | 152   | restriction on use, etc.....                        | 144         |
| report to be filed with Congress at next             |       | <i>Wahpeton, N. Dak.,</i>                           |             |
| session.....   | 152   | deficiency appropriation for Indian school,         |             |
| details required.....                                | 152   | 1920.....   | 45          |
| yearly thereafter.....                               | 152   | for Indian school, 1921.....                        | 45          |
| punishment for false affidavits, statements,         |       | for Indian school.....                              | 57, 197     |
| etc., in claims for compensation, etc.               | 152   | <i>Walters, Okla.,</i>                              |             |
| amendments to War Risk Insurance Act..               | 152   | town site lands quitclaimed to.....                 | 147         |
| name of Veterans' Bureau changed to....              | 202   | <i>War Contracts, etc.,</i>                         |             |
| <i>Veterinarians, Army,</i>                          |       | unexpended balances for settling, sus-              |             |
| appropriation for pay of retired.....                | 74    | pended on account of armistice,                     |             |
| <i>Victor Emanuel II National Monument,</i>          |       | available during 1922.....                          | 63          |
| Rome, Italy,   |       | allowance for personal services.....                | 63          |
| medal of honor authorized for unknown                |       | limited to contracts, etc., made between            |             |
| unidentified Italian soldier in.....                 | 204   | April 6, 1917 and November 12, 1918.                | 63          |
| <i>Victory Loan Notes,</i>                           |       | penal bonds furnished by, to be withheld,           |             |
| uses and authorized issue of, extended....           | 321   | etc., on default, to meet claims of                 |             |
| <i>Village Delivery, Postal Service,</i>             |       | subcontractors.....                                 | 318         |
| deficiency appropriation for.....                    | 55    | <i>War Contracts, Informal, etc.,</i>               |             |
| <i>Vineyards, Experiment,</i>                        |       | reimbursement for losses in producing non-          |             |
| deficiency appropriation for purchase of,            |       | metallic minerals, etc., in response                |             |
| Fresno, and Oakville, Calif.....                     | 46    | to Government appeal, etc., from ap-                |             |
| <i>Vinous Liquors (see also National Prohibition</i> |       | propriation therefor.....                           | 322         |
| Act),  |       | reopening of claims denied on rulings               |             |
| limitation on use of prescriptions of, for           |       | contrary to these provisions.....                   | 322         |
| medicinal purposes.....                              | 222   | <i>War Department,</i>                              |             |
| importing, forbidden unless domestic pro-            |       | appropriation for Army.....                         | 68          |
| duction insufficient for nonbeverage                 |       | for Military Academy.....                           | 95          |
| needs.....   | 223   | deficiency appropriation for Chickamauga            |             |
| shipments en route excepted.....                     | 223   | and Chattanooga Park, Missionary                    |             |
| <i>Virgin Islands,</i>                               |       | Ridge boulevard.....                                | 39          |
| appropriation for expenses, temporary                |       | for Shiloh Park.....                                | 39          |
| government for.....                                  | 123   | for Pittsburgh Plate Glass Company.....             | 39          |
| citizenship requirements for holding                 |       | for judgments, United States courts                 |             |
| public office in.....                                | 123   | under.....  | 50, 195     |
| income tax laws of United States ap-                 |       | for judgments, Court of Claims under..              | 51, 195     |
| plicable to; payment into treasuries                 |       | except, Broadbent Portable Laundry                  |             |
| of the islands.....                                  | 123   | Corporation.....                                    | 195         |
| payment of income taxes in, not affected             |       | for arrears of pay, bounty, etc.....                | 52, 56, 196 |
| by Revenue Act of 1921.....                          | 271   | for pay, etc., War with Spain.....                  | 52          |
| prohibition provisions applicable to.....            | 223   | for additional employees.....                       | 52          |
| enforcement by insular courts.....                   | 223   | for national security and defense under             |             |
| <i>Virginia,</i>                                     |       | for Army.....                                       | 52, 56, 196 |
| appropriation for Hampton Roads naval                |       | for national cemeteries.....                        | 52, 197     |
| operating base training station.....                 | 126   | for paying claims for loss of firearms,             |             |
| <i>Virginia Eastern Judicial District,</i>           |       | Colorado strike, 1914.....                          | 52          |
| deficiency appropriation for paying judg-            |       | for headstones for soldiers' graves..               | 52, 56, 197 |
| ment of district court, to Eastern                   |       | for sodium nitrate storage.....                     | 52          |
| Transportation Company.....                          | 51    | for Military Academy.....                           | 56          |
| Arundel Sand and Gravel Corporation.                 | 51    | for contingent expenses.....                        | 196         |
| <i>Viruses, etc.,</i>                                |       | for increase of compensation.....                   | 196         |
| deficiency appropriation for regulating              |       | for artificial limbs.....                           | 196         |
| propagation, sale, etc.....                          | 56    | for fortifications.....                             | 196         |
| "Visit the Dunes, Michigan City, Indiana,            |       | for river and harbor work, increase of              |             |
| May 1, 1922, to November 1, 1922,"                   |       | compensation.....                                   | 197         |
| special canceling stamp authorized for               |       | for Volunteer Soldiers' Home.....                   | 197         |
| Michigan City, Ind., post office....                 | 202   | emergency appropriation for Assistant               |             |
| <i>Vladivostok, Siberia,</i>                         |       | Secretary, increased salary, 1922..                 | 62          |
| free transportation, etc., from, to United           |       | for Schofield Barracks, Hawaii, water               |             |
| States, of destitute soldiers honor-                 |       | supply, 1922.....                                   | 62          |
| ably discharged in Siberia, and their                |       | facilities, equipment, etc., of, made avail-        |             |
| families.....  | 103   | able for uses of Veterans' Bureau..                 | 150         |

# INDEX.

lxxxiii

|   |       |   |       |
|---|-------|---|-------|
| <i>War Department—Continued.</i>  | Page. | <i>War Finance Corporation Act Amendments—</i>  | Page. |
| unexpended balances for settling contracts,<br>etc., suspended on account of armi-<br>stice, available during 1922..... | 63    | Continued.  |       |
| allowance for personal services.....  | 63    | unemployed moneys of Corporation to be<br>deposited with Treasurer or reserve<br>banks.....                     | 184   |
| <i>War Finance Corporation Act Amendments,</i>  |       | may be invested in Government securi-<br>ties issued since September 24, 1917.....                              | 184   |
| definition of term "person".....  | 181   | to purchase or redeem its bonds.....  | 184   |
| creation of Corporation; membership....   | 181   | Federal reserve banks authorized as de-<br>positaries and fiscal agents of Cor-<br>poration.....                | 184   |
| addition of Secretary of Agriculture to..   | 181   | liquidation of assets to begin July 1, 1922.....  | 184   |
| powers of, except incidental to liquida-<br>tion, to cease July 1, 1922.....  | 181   | sale of securities, etc., allowed prior<br>thereto.....   | 184   |
| authority of Corporation to aid in export-<br>ing abnormal accumulation of staple<br>agricultural products.....         | 181   | receipts from, to make special deposit<br>equal to outstanding bonds or notes.....                              | 184   |
| advances to dealers, producers, etc., to<br>assist in carrying products until ex-<br>ported.....                        | 181   | use restricted to payment, redemption,<br>or purchase thereof.....  | 184   |
| interest rates limited.....   | 181   | moneys received after payment of out-<br>standing bonds, etc., to be covered<br>into the Treasury.....          | 184   |
| to purchasers abroad of such products..   | 181   | stock to be canceled.....   | 184   |
| security required; rate of interest....   | 181   | accumulation of reserve fund until liquida-<br>tion.....  | 185   |
| power to recall, etc., reserved.....  | 181   | dissolution of Corporation after debts all<br>paid and stock retired.....                                       | 185   |
| to banks, etc., making advances to deal-<br>ers, etc., for such purposes.....   | 181   | <i>War Operations Abroad,</i>   |       |
| aggregate limited to amount of unpaid<br>advances.....  | 181   | appropriation for observing.....  | 69    |
| allowed until July 1, 1922, to promote<br>foreign commerce and for purposes<br>hereof.....                              | 182   | <i>War Profits and Excess Profits Tax, Title III,</i><br><i>Revenue Act of 1918,</i>                            |       |
| time for payment may be extended;<br>limit.....   | 182   | repealed as of January 1, 1921.....   | 320   |
| may be made against secured commer-<br>cial paper.....  | 182   | <i>War Profits and Excess Profits Tax, Title III,</i><br><i>Revenue Act of 1921,</i>                            |       |
| foreign paper to be payable in United<br>States, etc.; guaranties required....  | 182   | definition of terms used.....   | 271   |
| to banks, etc., having made advances for<br>agricultural purposes, including live<br>stock.....                         | 182   | additional tax on net incomes of corpora-<br>tions for 1921.....  | 272   |
| discounting notes, etc., therefor.....  | 182   | in excess of 20 per cent of invested capi-<br>tal.....  | 272   |
| security required.....  | 182   | derived from Government contracts<br>between April 7, 1917, and No-<br>vember 11, 1918, exceeding \$10,000..... | 272   |
| period limited; renewals authorized..   | 182   | computation of rates for 1918.....  | 272   |
| amount not to exceed advances unpaid  | 182   | apportionment of income attributable<br>to contracts.....   | 272   |
| purchase of commercial paper secured by<br>agricultural products or live stock,<br>authorized.....                      | 182   | deductions of excess profits credit....   | 272   |
| time for payment may be extended;<br>limit.....   | 182   | limitations under present and former<br>acts.....   | 272   |
| dealing in acceptances of corporations for<br>foreign banking, authorized.....  | 183   | maximum tax for 1921.....   | 272   |
| restricted to financing exportation of<br>American products.....  | 183   | separation of, if part of income from per-<br>sonal service corporation; mini-<br>mum, etc.....                 | 273   |
| maturity limitation.....  | 183   | corporations exempt from this tax; desig-<br>nated organizations.....   | 273   |
| advances or purchases allowed prior to<br>July 1, 1922.....   | 183   | if income less than \$3,000.....  | 273   |
| limit of aggregate amount of all.....   | 183   | income from gold mining.....  | 273   |
| qualified State or Federal incorporated<br>financial institutions included in<br>provisions hereof.....                 | 183   | specific exemption for less than a year..   | 273   |
| information of condition of national banks<br>receiving advances to be furnished<br>by Comptroller of the Currency....  | 183   | credits allowed for excess profits of \$3,000<br>and 8 per cent of capital.....                                 | 273   |
| other banks, etc.; subject to their con-<br>sent.....   | 183   | foreign corporations not entitled to \$3,000<br>exemption.....  | 273   |
| interest charge by persons receiving money<br>hereunder, limited.....   | 183   | net income returns on basis of corporation<br>income.....   | 273   |
| advances to exporters of domestic products;<br>former limitations, etc., repealed..                                     | 183   | items included in invested capital.....   | 273   |
| notes or bonds may be issued by Corpora-<br>tion.....   | 183   | intangible property; tangible property;<br>borrowed capital.....  | 273   |
| amount and duration limited.....  | 183   | inadmissible assets; sources of income<br>excluded from.....  | 274   |
| to be a first lien on assets.....   | 183   | admissible assets.....  | 274   |
| for payment of advances, or for sale....  | 183   | value of stock issued at nominal value,<br>etc., determined.....  | 274   |
| power to terminate January 1, 1925;<br>maturity limited to July 1, 1925....   | 184   | invested capital includes, cash paid for<br>stock.....  | 274   |
| may be accepted as collateral for Federal<br>reserve bank discounts.....  | 184   | value of other tangible property.....   | 274   |
| interest allowed.....   | 184   | if in excess of par value, treated as<br>paid in surplus.....   | 274   |
|   |       | record to be kept, etc., of such prop-<br>erty; copy, etc., to Congress.....                                    | 274   |

|  |             |   |      |
|--|-------------|---|------|
| <i>War Profits and Excess Profits Tax, Title III, Revenue Act of 1921—Continued.</i> | Page        | <i>War Risk Insurance Act Amendments—Con.</i> | Page |
| invested capital includes previous undi-   |             | allotments and allowance paid to desig-       |      |
| vided profits, etc.....  | 274         | nated beneficiaries not recoverable..         | 153  |
| intangible property paid for stock prior to  |             | ineligible relationships or frauds ex-        |      |
| March 3, 1917; valuation determined.....   | 274         | cepted.....                                   | 153  |
| after March 3, 1917; limitation.....   | 274         | compensation for death or disability in       |      |
| maximum allowed.....   | 274         | service since April 6, 1917, to desig-        |      |
| borrowed capital not included in.....  | 275         | nated person.....                             | 153  |
| inadmissible assets to be deducted from.   | 275         | payment to person or dependents.....          | 154  |
| determination of average.....  | 275         | excluded by willful misconduct.....           | 154  |
| assessment of tax on basis of average similar  |             | soundness inferred on entrance, if dis-       |      |
| business.....  | 275         | charged or resigned prior hereto....          | 154  |
| when invested capital not determinable.  | 275         | employed in active service November           |      |
| foreign corporations.....  | 275         | 11, 1918, and separated thereafter...         | 154  |
| if tangible and intangible property val-   |             | recorded defects excepted.....                | 154  |
| ues not separable.....   | 275         | specified disease developing within two       |      |
| upon application to prevent exceptional  |             | years after leaving active service            |      |
| hardship.....  | 275         | inferred as acquired therein.....             | 154  |
| higher earnings on normal capital not  |             | at later date, if claim proven.....           | 154  |
| included.....  | 275         | in effect as of April 6, 1917.....            | 154  |
| incomes derived principally from cost-   |             | review of awards by Bureau, action modi-      |      |
| plus war contracts.....  | 275         | fied.....                                     | 154  |
| determination of tax by Commissioner on  |             | time restriction for paying compensation      |      |
| ratio of average similar business....  | 275         | modified.....                                 | 154  |
| of foreign corporations.....   | 275         | injury claims assigned to the Government      |      |
| method directed.....   | 275         | to have witness expenses, etc., paid          |      |
| regulations for determining average for  |             | thereby.....                                  | 155  |
| ratios.....  | 275         | reassignment to beneficiary authorized.       | 155  |
| record of determined cases to be kept;   |             | insurance to beneficiary if of permitted      |      |
| copy to Congress.....  | 276         | class when designated.....                    | 155  |
| valuation of assets transferred after  |             | term insurance during the war and until       |      |
| March 3, 1917, if control continued.....   | 276         | converted.....                                | 155  |
| if previous owner not a corporation...   | 276         | conversion after the war without medical      |      |
| tax on returns for fiscal year ending in 1921.                                       | 276         | examination.....                              | 155  |
| proportion under former and present  |             | form of, as requested by insured.....         | 155  |
| Acts.....  | 276         | renewal of term insurance matured by total    |      |
| credit for payment under prior Act...  | 276         | disability no longer existing.....            | 155  |
| refund of excess paid.....   | 276         | additional period allowed for conversion.     | 155  |
| for fiscal year ending in 1922.....  | 276         | insurance benefits due on account of extra    |      |
| computation of proportion.....   | 276         | hazard in service, to be paid by              |      |
| returns required from all corporations not   |             | United States.....                            | 155  |
| exempted.....  | 276         | value transferred to insurance fund from      |      |
| conditions for payment, etc., applicable.  | 276         | service insurance appropriations....          | 156  |
| limitation of tax on sales of mines, etc.,   |             | person receiving disability benefits under    |      |
| discovered by taxpayer.....  | 277         | converted policy, may continue re-            |      |
| provisions effective from January 1, 1921..  | 277         | duced insurance on recovery.....              | 156  |
| additional exemption from, on income from  |             | transfer of loss reserve to service pension   |      |
| specified Liberty bonds, in lieu of  |             | appropriation.....                            | 156  |
| provisions for, during World War...  | 317         | retention of sum for life insurance fund.     | 156  |
| <i>War Revenue Act, 1917,</i>  |             | payment to estate of insured if no benefi-    |      |
| deficiency appropriation for collecting  |             | ciary surviving.....                          | 156  |
| taxes under.....   | 51, 56, 196 | if estate would cheat, to be credited to      |      |
| <i>War Risk Insurance Act Amendments,</i>  |             | United States.....                            | 156  |
| person discharged from service as enemy  |             | effective as of April 6, 1917.....            | 156  |
| alien, deserter, etc., terminates in-  |             | approval of application for reinstatement of  |      |
| surance thereby.....   | 152         | lapsed insurance.....                         | 156  |
| bars right to compensation or insurance.   | 152         | if disability incurred in active World War    |      |
| value of converted insurance to be paid.   | 152         | service.....                                  | 156  |
| benefits allowed alien enemy in United   |             | proof of origin required.....                 | 156  |
| States service during the World War.   | 153         | back premiums to be paid, with interest.      | 156  |
| person dishonorably discharged by  |             | payment of insurance lapsed while insured     |      |
| courts-martial, if afterwards found to   |             | suffering from wounds, etc., and died         |      |
| have been insane.....  | 153         | without claiming compensation, etc.           | 156  |
| status of person provisionally accepted,   |             | amount allowed beneficiaries.....             | 157  |
| ordered to camp, etc.....  | 153         | payment of premiums may be waived, if         |      |
| compensation and insurance benefits  |             | insured in hospital for compensable           |      |
| allowed.....   | 153         | disability.....                               | 157  |
| investigation and certifying of family al-   |             | receiving compensation for temporary          |      |
| lowances.....  | 153         | total disability.....                         | 157  |
| modification after reinvestigation.....  | 153         | extension allowed; interest on waived         |      |
| allotments and allowances to be deter-   |             | premiums.....                                 | 157  |
| mined by family conditions monthly   | 153         | if not paid to be deducted at maturity..      | 157  |

# INDEX.

lxxxv

|  | Page. |   | Page. |
|--|-------|---|-------|
| <i>War Risk Insurance Act Amendments—Contd.</i>  |       | <i>Warren, Ohio,</i>  |       |
| Postmaster General to receive, etc., insurance premiums.....   | 157   | bridge authorized across Mahoning River at.....   | 3     |
| adopt special money order forms for transmitting.....  | 157   | dam authorized across Mahoning River, near.....   | 141   |
| receive insurance applications.....  | 157   | <i>Washington,</i>  |       |
| policies incontestable after six months except for fraud or nonpayment of premiums.....  | 157   | appropriation for reimbursing, for marine school expenses.....  | 124   |
| <i>War Risk Insurance Bureau, Treasury Department (see also Veterans' Bureau),</i>   |       | San Juan Island Military Reservation granted to, for biological station, etc.; conditions.....                                | 173   |
| deficiency appropriation for medical, surgical, hospital, etc., services.....  | 37    | <i>Washington-Alaska Military Cable and Telegraph System,</i>   |       |
| for salaries and expenses.....   | 196   | appropriation for cost of extension, betterments, etc., from receipts.....  | 72    |
| for national security and defense.....   | 196   | <i>Washington and Old Dominion Railway,</i>   |       |
| abolishment of office of Director, and powers transferred to Veterans' Bureau.....   | 148   | may bridge Potomac River, Point of Rocks, Md.....   | 7     |
| all appropriations for, made available for Veterans' Bureau.....   | 149   | <i>Washington Aqueduct, D. C. (see Water Service, D. C.).</i>   |       |
| allowance for field investigations, 1921, from appropriation for stationery, etc....   | 37    | <i>Washington Asylum and Jail, D. C.,</i>   |       |
| disbursing clerk allowed credit for advance insurance payments; limitation....   | 146   | deficiency appropriation for support of prisoners.....  | 33    |
| pay restriction on salaries, 1922, modified increase in number of higher allowances.   | 37    | <i>Washington, D. C.,</i>   |       |
| records, files, documents, etc., transferred to Veterans' Bureau.....  | 148   | appropriation for Army Engineer School... deficiency appropriation for expenses, Conference on Limitation of Armament at..... | 88    |
| restriction in appropriation for additional hospital facilities on remodeling plants, 1922, repealed.....  | 37    | <i>Washington Monument, D. C.,</i>  |       |
| allotments to Volunteer Soldiers' Home to be disbursed by the Board.....   | 37    | appropriation for elevator repairs, etc..... amount for care, etc., 1922, immediately available.....                          | 8     |
| surplus Army and Navy property transferred to equip, etc., hospitals.....  | 37    | <i>Watches,</i>   |       |
| <i>War Savings Certificates (see Treasury Savings Certificates).</i>   |       | excise tax on sales of, by dealers.....   | 293   |
| <i>War Savings Stamps,</i>   |       | <i>Water and Sewers at Military Posts,</i>  |       |
| expenses of sale, etc., of, in office of Commissioner of Public Debt and Post Office Department, payable from appropriation for expenses of loans, 1922..... | 36    | appropriation for expenses; limit on new work.....  | 81    |
| <i>War Trade Board,</i>  |       | <i>Water Service, D. C.,</i>  |       |
| deficiency appropriation for salaries and expenses.....  | 198   | appropriation for Washington Aqueduct, Reservoir, tunnel, filtration plant, etc.....  | 3     |
| <i>War Trade Section, Department of State,</i>   |       | for preparing plans, initiating work, etc., for increasing water supply.....  | 94    |
| furniture, etc., of, transferred to Treasury Department.....   | 192   | <i>Weather Bureau, Department of Agriculture,</i>   |       |
| <i>War with Austria-Hungary (see also World War),</i>  |       | deficiency appropriation for general expenses.....  | 54    |
| declaration of the end of.....   | 106   | <i>Webbers Falls, Okla.,</i>  |       |
| reservation of all rights, etc., of United States and its nationals, under terms of the armistice.....   | 106   | time extended for bridging Arkansas River near.....   | 104   |
| acquired by participation in the war... under treaties of San Germain and Trianon.....   | 106   | <i>Weighing Machines, Automatic Slot-Device,</i>  |       |
| as one of the allied Powers.....   | 106   | excise tax on, sold by producer, etc..... operated by manufacturer, etc.....  | 292   |
| under any Act of Congress, etc.....  | 106   | <i>Weights, Measures, and Markets, D. C.,</i>   |       |
| <i>War with Germany (see also World War),</i>  |       | bread standard weights modified; pound and a half added.....  | 201   |
| declaration of the end of.....   | 105   | <i>Weights, Measures, and Markets, D. C., Superintendent of,</i>  |       |
| reservation of all rights, etc., of United States and its nationals, under terms of the armistice.....   | 105   | deficiency appropriation for motor vehicles.....  | 30    |
| acquired by participation in the War... under treaty of Versailles.....  | 106   | <i>West Indian Islands acquired from Denmark, (see Virgin Islands).</i>   |       |
| as one of the allied Powers.....   | 106   | <i>West Point (see Military Academy).</i>   |       |
| under any Act of Congress, etc.....  | 106   | <i>West Virginia Southern Judicial District,</i>  |       |
| <i>Warm Springs Agency, Oreg.,</i>   |       | additional judge authorized for; to act as senior judge.....  | 67    |
| deficiency appropriation for support, etc., of Indians at.....   | 45    | vacancy in office of judge senior in commission not to be filled.....   | 67    |
| <i>Warrant Officers, Army,</i>   |       | <i>Wheat (see also Future Trading Act),</i>   |       |
| appropriation for pay.....   | 74    | provisions governing contracts for future delivery of.....  | 187   |
| for mileage, on active duty.....   | 75    | temporary duty on.....  | 9     |
|  |       | flour and semolina.....   | 9     |

|  |         |  |     |
|--|---------|--|-----|
| <i>White, Edward Douglass, late Chief Justice of the United States,</i><br>deficiency appropriation for pay to widow of.....                     | 40      | <i>World War—Continued.</i><br>declaration of end of war with Austro-Hungarian Government; reservation of all rights, etc., acquired by participation in the war, etc..... | 106 |
| <i>White River,</i><br>bridge authorized across, De Valls Bluff, Ark.....  | 323     | under treaties of Saint Germain, and Trianon.....  | 106 |
| time extended for bridging, Des Arc, Ark.....  | 323     | by Acts of Congress; or otherwise.....   | 106 |
| <i>Whiteside County, Ill.,</i><br>bridge authorized across Rock River, at Sterling, by.....  | 325     | retention of property of German and Austro-Hungarian Governments, etc., in possession, etc., of United States...   | 106 |
| <i>Wickersham, Honorable James,</i><br>appropriation for contested election expenses.....  | 3       | until provision made by those Governments to satisfy claims of Americans for loss, incurred by the war, etc...   | 106 |
| <i>Wilds Landing Ferry, Ga. and Fla.,</i><br>bridge authorized across Saint Marys River at.....  | 204     | most favored nation treatment been granted Americans.....  | 106 |
| <i>Willamette Falls, Oreg.,</i><br>bridge authorized across Lock No. 4, of the canal at.....   | 19      | finer, etc., imposed by United States have been confirmed.....   | 107 |
| <i>Wind River Indian Reservation, Wyo.,</i><br>deficiency appropriation for irrigation project.....  | 198     | pecuniary claims against United States waived.....   | 107 |
| <i>Wine (see Vinous Liquors).</i><br><i>Wireless Communication,</i><br>deficiency appropriation for enforcing, laws for ocean steamers, etc..... | 47      | laws not affected; Resolution construing termination of war.....   | 107 |
| <i>Witnesses, United States Courts,</i><br>deficiency appropriation for fees.....  | 55, 199 | passport control provisions.....   | 107 |
| <i>Wood, O. T.,</i><br>deficiency appropriation for credit in accounts.....  | 41      | status of Army and Navy deserters.....   | 107 |
| <i>Wood Pulp (see Pulp Wood and Paper, etc.).</i><br><i>Wool,</i><br>temporary duty on clothing, etc., unwashed; washed; scoured.....            | 10      | punishing, etc., violations of selective service laws.....   | 107 |
| classification.....  | 10      | estates of persons dying in, or from, service, not subject to tax on transfers.....  | 278 |
| additional, if sorted, etc.....  | 10      | refund if paid heretofore.....   | 278 |
| advanced beyond washed or scoured....  | 10      | memorial to Agricultural Department employees who died in, permitted in in grounds of Department.....  | 170 |
| manufactures of; additional to present rates.....  | 10      | <i>Wounded or Disabled Soldiers, etc.,</i><br>appropriation for paying carriers difference between schedule and rates for transporting, on furlough from hospitals..       | 94  |
| <i>Workhouse, D. C.,</i><br>deficiency appropriation for maintenance..   | 34      | <i>Wyoming,</i><br>consent given to negotiations for apportioning waters of Colorado River, etc., between, and designated States....                                       | 172 |
| <i>Works of Art,</i><br>excise tax on, sold by other than the artist. except to educational institution or art museum.....                       | 292     | agreement subject to approval of legislature and Congress.....   | 172 |
| by dealer to another for resale.....   | 292     | <b>Y.</b><br><i>Yachts,</i><br>excise tax on sales of, by builder, etc....   | 292 |
| <i>Workshops,</i><br>excise tax on products of, using prohibited child labor.....  | 306     | special tax imposed on users of.....   | 297 |
| <i>World War,</i><br>appropriation for furnishing naval service records of, to States.....   | 124     | exemption, for relief of seamen, etc....   | 298 |
| deficiency appropriation for relief of Americans and prisoners of war.....   | 198     | <i>Yakima Indian Reservation, Wash.,</i><br>deficiency appropriation for irrigation, etc., Toppenish-Simcoe project.....   | 58  |
| declaration of end of war with German Government.....  | 105     | <i>Yankton Sioux Indians, S. Dak.,</i><br>deficiency appropriation for support, etc..  | 197 |
| reservation of all rights, etc., of United States and its nationals under terms of armistice.....  | 105     | <i>Yazoo River, Miss.,</i><br>examination of, authorized to be made for control of its floods.....   | 146 |
| acquired by participation in the war, etc.....   | 106     | <i>Yellow Fever,</i><br>deficiency appropriation for prevention of epidemic.....   | 38  |
| under treaty of Versailles.....  | 106     | <i>Yerba Buena Island, Calif.,</i><br>appropriation for naval training station, maintenance.....   | 125 |
| by Acts of Congress; or otherwise.....   | 106     | <i>Yorktown, Va.,</i><br>disposal of land, Navy Mine Depot, no longer needed for naval purposes...   | 128 |
| declaration of end of war with Austro-Hungarian Government.....  | 106     | <i>Young, Peter,</i><br>may bridge Pend d'Oreille River, in Bonner County, Idaho, at Newport-Priest River Road crossing.....   | 171 |
| reservation of all rights, etc., of United States and its nationals under terms of armistice.....  | 106     |  |     |

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**PRIVATE LAWS**  
**OF THE**  
**UNITED STATES OF AMERICA,**  
**PASSED AT THE**  
**FIRST SESSION OF THE SIXTY-SEVENTH CONGRESS,**  
**1921.**

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VOLUME LXXI

1911

# LIST

OF THE

## PRIVATE ACTS OF CONGRESS

CONTAINED IN THIS VOLUME.

LAWS OF THE SIXTY-SEVENTH CONGRESS OF THE UNITED STATES.

STATUTE I.—1921.

|   | Page. |
|---|-------|
| <i>"Flynderborg," steamship.</i> An Act Conferring jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear and determine the claim of the owners of the Danish steamship Flynderborg against the United States, and for other purposes. August 9, 1921..... | 1     |
| <i>Fidelity and Deposit Company.</i> An Act For the relief of the Fidelity and Deposit Company of Maryland, Baltimore, Maryland. August 16, 1921.....   | 2     |
| <i>Southern Iron and Metal Company.</i> An Act For the relief of the Southern Iron and Metal Company, Jacksonville, Florida. August 23, 1921.....   | 2     |
| <i>Francis M. Maddox.</i> An Act For the relief of Major Francis M. Maddox, United States Army. August 24, 1921.....  | 2     |
| <i>E. W. McComas.</i> An Act For the relief of E. W. McComas. August 24, 1921.....  | 3     |
| <i>West Point, Ga.</i> An Act For the relief of the city of West Point, Georgia. August 24, 1921.....   | 3     |
| <i>"Maryland," dredge.</i> An Act For the relief of the owners of the dredge Maryland. August 24, 1921.....   | 3     |
| <i>Rolph Navigation and Coal Company.</i> An Act Authorizing the Rolph Navigation and Coal Company to sue the United States to recover damages resulting from collisions. November 17, 1921.....  | 4     |
| <i>"Texas," steamship.</i> An Act Authorizing the owners of the steamship Texas to bring suit against the United States of America. November 17, 1921.....  | 5     |
| <i>J. L. Holmes.</i> An Act Granting a deed of quitclaim and release to J. L. Holmes of certain land in the town of Whitefield, Oklahoma. November 18, 1921.....  | 5     |
| <i>Elijah C. Putman.</i> An Act For the relief of Elijah C. Putman. November 18, 1921.....  | 6     |
| <i>Quapaw Indian allottees.</i> An Act To amend section 28 of an Act entitled "An Act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs," and so forth. November 18, 1921.....  | 6     |
| <i>Chicago, Milwaukee and Saint Paul Railway, etc.</i> An Act For the relief of the Chicago, Milwaukee and Saint Paul Railway Company; the Chicago, Saint Paul, Minneapolis and Omaha Railway Company; and the Saint Louis, Iron Mountain and Southern Railway Company. November 23, 1921.....            | 6     |
| <i>Mount Pleasant, Mich., lands reconveyed.</i> An Act To authorize the Secretary of the Interior to execute deeds of reconveyance for certain lands in the city of Mount Pleasant, Isabella County, Michigan. November 23, 1921.....   | 7     |



# PRIVATE LAWS OF THE SIXTY-SEVENTH CONGRESS

OF THE

## UNITED STATES

*Passed at the first session, which was begun and held at the city of Washington, in the District of Columbia, on Monday, the eleventh day of April, 1921, and was adjourned without day on Wednesday, the twenty-third day of November, 1921.*

WARREN G. HARDING, President; CALVIN COOLIDGE, Vice President; ALBERT B. CUMMINS, President of the Senate *pro tempore*; CHARLES CURTIS, Acting President of the Senate *pro tempore*, July 7, 8, and 22, August 5, 11, 22 to 24, September 23, 1921; IRVINE L. LENROOT, Acting President of the Senate *pro tempore*, August 9 and 16, 1921; JAMES W. WADSWORTH, jr., Acting President of the Senate *pro tempore*, August 10, 1921; REED SMOOT, Acting President of the Senate *pro tempore*, August 15, 1921; CHARLES L. McNARY, Acting President of the Senate *pro tempore*, August 19 and 20, 1921; FRANK B. BRANDEGEE, Acting President of the Senate *pro tempore*, September 24, 1921; FREDERICK H. GILLETT, Speaker of the House of Representatives; HORACE M. TOWNER, Speaker of the House of Representatives *pro tempore*, May 25, July 1 and 2, 1921; JOSEPH WALSH, Speaker of the House of Representatives *pro tempore*, June 20 to 22, October 28 to 31, November 19 and 23, 1921.

CHAP. 59.—An Act Conferring jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear and determine the claim of the owners of the Danish steamship *Flynderborg* against the United States, and for other purposes.

August 9, 1921.

[S. 997.]

[Private, No. 1.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Dampskibsselskabet Dannebrog, of Copenhagen, Kingdom of Denmark, the owners of the Danish steamship *Flynderborg*, are hereby authorized to bring suit in personam against the United States, within one year after this Act becomes law, to recover damages for any injury to such steamship *Flynderborg* which may have been caused by the United States steamship *Prometheus*, of the United States Navy, in a collision which took place between the United States steamship *Prometheus* and the steamship *Flynderborg* on December 4, 1919, in Charleston Harbor, South Carolina, eastern district of South Carolina, and jurisdiction in admiralty is hereby conferred upon the District Court of the United States for the Eastern District of South Carolina to hear, consider, and determine such suit upon the principles of liability and in accordance with the practice obtaining in like suits in admiralty between private parties and to enter a decree or judgment for or against the United States or such Dampskibsselskabet Dannebrog, including costs.

"*Flynderborg*", Danish steamship. Owners may bring suit for collision damages in Federal court.

SEC. 2. That the suit herein authorized shall be brought and prosecuted in accordance with the provisions of the Act entitled "An Act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, as amended, in so far as such provisions are applicable thereto, unless otherwise provided herein. The right of appeal and review shall be afforded as now provided by law in like suits in admiralty between private parties.

Procedure. Vol. 34, p. 503; Vol. 34, p. 1083.

Approved, August 9, 1921.

August 16, 1921.

[S. 1424.]

[Private, No. 2.]

Fidelity and Deposit  
Company of Maryland.  
Redemption of lost  
certificates of indebted-  
ness.

CHAP. 69.—An Act For the relief of the Fidelity and Deposit Company of Maryland, Baltimore, Maryland.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem, after the 15th day of July, anno Domini 1921, United States Treasury Department 5½ per centum coupon certificates of indebtedness, series B-1921, dated July 15, 1920, and due January 15, 1921, numbered thirty-two hundred and ninety-eight and thirty-two hundred and ninety-nine, of the denomination of \$5,000 each, with interest from July 15, 1920, to the date of maturity of said certificates of indebtedness, January 15, 1921, and also to redeem, after the 15th day of September, anno Domini 1921, United States Treasury Department 5½ per centum coupon certificates of indebtedness, series TM2-1921, dated July 15, 1920, and due March 15, 1921, numbered twenty-two hundred and sixteen and twenty-two hundred and seventeen, of the denomination of \$5,000 each, with interest from July 15, 1920, to the date of maturity of said certificates of indebtedness, March 15, 1921, in favor of the Fidelity and Deposit Company of Maryland, without presentation of said certificates, the certificates of indebtedness having been lost, stolen, or destroyed: *Provided*, That the said certificates of indebtedness shall not have been previously presented for payment: *Provided further*, That the said Fidelity and Deposit Company of Maryland shall first file in the Treasury Department bonds, each in the penal sum of double the amount of the principal and interest of said certificates of indebtedness of the Treasury Department of the United States of America, in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed certificates of indebtedness hereinbefore described.

Process.  
Not previously paid.

Indemnity bonds to  
be filed.

Approved, August 16, 1921.

August 23, 1921.]

[H. R. 1940.]

[Private, No. 3.]

Southern Iron and  
Metal Company.  
Payment to.

CHAP. 79.—An Act For the relief of the Southern Iron and Metal Company, Jacksonville, Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,189.35, for the relief of the Southern Iron and Metal Company, Jacksonville, Florida, for salvage material consisting of submarine cable sold and delivered at Key West, Florida, to the Southern Iron and Metal Company, at the instance of the Director of Purchase and Storage of the War Department, which salvage material was in good faith paid for but was not of the kind and quality represented.

Approved, August 23, 1921.

August 24, 1921.

[H. R. 6407.]

[Private, No. 4.]

Major Francis M.  
Maddox.  
Credit in accounts.

CHAP. 95.—An Act For the relief of Major Francis M. Maddox, United States Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby authorized and directed to credit the accounts of Major Louis C. Wilson, Quartermaster Corps, United States Army, the sum of \$1,875.14, to be paid Major Francis M. Maddox, Fourth Regiment Alabama National Guard, for pay, commutation of quar-

ters, light, heat, and longevity pay, and for services rendered while detailed for duty as assistant to the Chief of the Militia Bureau, War Department, Washington, District of Columbia, from June 4, 1920, to September 30, 1920, inclusive.

Approved, August 24, 1921.

CHAP. 96.—An Act For the relief of E. W. McComas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That E. W. McComas be permitted to purchase from the United States, at the price of \$1.25 per acre, lots two and four of section five, the north half of the northeast quarter, and lots one and two (or the north half of the northwest quarter) of section seven, township five north, range thirty east, Willamette meridian, in Umatilla County, Oregon, containing two hundred and five and seventy-two one-hundredths acres, more or less, and that patent shall, after such purchase, issue to him therefor: *Provided*, That McComas files in the district land office at La Grande a proper application to purchase the said lands, and tenders payment therefor at the price fixed herein, within sixty days of the passage of this Act.

Approved, August 24, 1921.

August 24, 1921.  
[H. R. 1645.]  
[Private, No. 5.]

E. W. McComas.  
Land patent to.  
Purchase price.

Previous.  
Condition.

CHAP. 97.—An Act For the relief of the city of West Point, Georgia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the city of West Point, in the State of Georgia, be, and hereby is, relieved of any liability to and from paying any amount to the Government of the United States, or any department thereof, on account of the construction and maintenance of a pontoon bridge across the Chattahoochee River at West Point, Georgia, constructed and maintained under Public Resolution Numbered 25, Sixty-sixth Congress, and from paying the Government for any damage to or loss of any part of the material used in said bridge: *Provided*, That the transportation of personnel, material of first and second bridge, and inspection by officers, all amounting to \$2,705.77, shall be paid by said city of West Point, and also transportation charges of bridge material, now on hand, from West Point, Georgia, to the point where the Secretary of War may direct said material to be shipped, but not for a greater distance or expense than that from the point which said material was shipped to said West Point, Georgia.

Approved, August 24, 1921.

August 24, 1921.  
[H. R. 2117.]  
[Private, No. 6.]

West Point, Ga.  
Released from liability for building bridge across Chattahoochee River.  
Vol. 41, p. 370.

Previous.  
Transportation, etc., expenses to be paid.

CHAP. 98.—An Act For the relief of the owners of the dredge Maryland.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claim of John Emile, of Duval County, Florida, and the Peoples Bank of Mobile, a corporation under the laws of the State of Alabama, owners of the dredge Maryland against the United States for damages alleged to have been caused by a collision between said dredge and the United States steamship O-4, in the Cooper River at Charleston, South Carolina, on the 10th day of February, 1919, may be sued for by the said owners in the District Court of the United States for the Southern District of Florida, sitting as a court of admiralty and acting

August 24, 1921.  
[H. R. 1642.]  
[Private, No. 7.]

"Maryland", dredge.  
Owners of, may bring suit for collision damages in district court.

Jurisdiction of court.

*Previous.*  
Notice to Attorney  
General.

Commencement.

under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree therein for the amount of such damages sustained by reason of said collision as shall be found to be due either for or against the United States upon the same principles and measures of liability and damages, as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this Act.

Approved, August 24, 1921.

November 17, 1921.

(S. 1408.)

(Private, No. 6.)

**CHAP. 126.**—An Act Authorizing the Rolph Navigation and Coal Company to sue the United States to recover damages resulting from collisions.

Rolph Navigation  
and Coal Company.  
May bring suit for  
collision damages to  
barkentine "Hesperian", in District court.

Jurisdiction of court.

*Previous.*  
Notice, etc.

Commencement of  
suit.

May enter suit for  
collision damages to  
barge "Alden Besse."

Jurisdiction of court.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claim of Rolph Navigation and Coal Company, a corporation organized and existing under and by virtue of the laws of the State of California, with its principal place of business in the city and county of San Francisco, in said State, owner of the barkentine Hesperian, for damages caused by collision between said vessel and the destroyer Rizal, a naval vessel belonging to the United States, in the Bay of San Francisco on the 26th day of November, 1919, may be sued for and submitted to the United States District Court in and for the Northern District of California, sitting as a court in admiralty, and acting under the rules in admiralty, governing said court, in an action in which said Rolph Navigation and Coal Company is hereby authorized to commence against the United States for the recovery of said damages. Said court shall have jurisdiction to hear and determine said action and enter its judgment or decree therein for the amount of such damages, if any, as shall be found to be due against the United States in favor of said Rolph Navigation and Coal Company, or against the Rolph Navigation and Coal Company in favor of the United States, upon the same principles and according to the measure of liability prevailing in like cases in admiralty between private parties and with the same right of appeal: *Provided*, That such notice of said action shall be given upon or after the commencement of said action to the Attorney General of the United States, as may be provided by order of said court, and it shall be the duty of the Attorney General upon receipt of such notice to cause the United States attorney in such district to appear for and defend the United States in such action: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this Act.

**SEC. 2.** That the claim of said Rolph Navigation and Coal Company, owner of the coal barge Alden Besse, for damages caused by collision between said vessel and the destroyer Buchanan, a naval vessel belonging to the United States, in the Bay of San Francisco on the 1st day of September, 1919, may be sued for and submitted to the United States District Court in and for the Northern District of California, sitting as a court of admiralty, and acting under the rules in admiralty governing said court, in an action which said Rolph Navigation and Coal Company is hereby authorized to commence against the United States for the recovery of said damages. Said court shall have jurisdiction to hear and determine said action and enter its judgment or decree therein for the amount of such damages, if any, as shall be found to be due against the United States

in favor of said Rolph Navigation and Coal Company, or against the Rolph Navigation and Coal Company in favor of the United States, upon the same principles and according to the measure of liability prevailing in like cases in admiralty, between private parties, and with the same rights of appeal: *Provided*, That such notice of said action shall be given upon or after the commencement of said action to the Attorney General of the United States, as may be provided by order of said court, and it shall be the duty of the Attorney General, upon receipt of such notice, to cause the United States attorney in such district to appear for and defend the United States in such action: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this Act.

SEC. 3. That said Rolph Navigation and Coal Company may unite the several causes of action arising out of the aforesaid collisions in the same complaint or libel.

Approved, November 17, 1921.

*Proviso.*  
Notice to Attorney  
General.

Commencement.

CHAP. 127.—An Act Authorizing the owners of the steamship Texas to bring suit against the United States of America.

November 17, 1921.  
[S. 2153.]  
[Private, No. 9.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the claim of the owners of the steamer Texas arising out of a collision between said steamer and the United States steamer Frederick der Grosse, off Tompkinsville, Staten Island, in the harbor of New York, on the 3d day of September, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said steamer Texas by reason of damages to and detention of said steamer may be submitted to the United States District Court for the Southern District of New York, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this Act.

"Texas," steamer.  
Owners of, may bring  
suit for collision dam-  
ages in District court.

Jurisdiction of court.

*Proviso.*  
Notice to Attorney  
General.

Commencement.

Approved, November 17, 1921.

CHAP. 129.—An Act Granting a deed of quitclaim and release to J. L. Holmes of certain land in the town of Whitefield, Oklahoma.

November 18, 1921.  
[S. 513.]  
[Private, No. 10.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is hereby authorized and directed to execute, acknowledge, and deliver, in the name of the United States of America, a deed of quitclaim and release to J. L. Holmes, of Whitefield, Oklahoma, his heirs and assigns, of all the right, title, and interest in and to lots two and three, block fourteen, in townsite of Whitefield, Oklahoma, which was granted to the United States of America by a deed from the Choctaw and Chickasaw Nations to the United States of America, dated the 21st day of September, anno Domini 1904, and approved

J. L. Holmes.  
Quitclaim deed  
granted to.



by the Secretary of the Interior, said lots having been erroneously conveyed to the United States instead of to E. E. Farrell, who subsequently sold and transferred same to J. L. Holmes.

Approved, November 18, 1921.

November 18, 1921.  
[S. 904.]

[Private, No. 11.]

Elijah C. Putman.  
Military service es-  
tablished.

R. S., sec. 2306, p. 422.

**CHAP. 130.**—An Act For the relief of Elijah C. Putman.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the service of Elijah C. Putman, honorably discharged March 28, 1864, is declared amply sufficient to entitle him or his assigns to the benefits of said section 2306, Revised Statutes, and the Commissioner of the General Land Office is hereby authorized to recognize the same.

Approved, November 18, 1921.

November 18, 1921.  
[S. 904.]

[Private, No. 12.]

Quapaw Indians.  
Allotment restric-  
tions continued of al-  
lottees, Minnie Griffin,  
Lewis Quapaw, and  
Leona Quapaw.

Vol. 41, p. 1248, amend-  
ed.

**CHAP. 131.**—An Act To amend section 26 of an Act entitled "An Act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs," and so forth.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 26 of the Act entitled "An Act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922," approved March 3, 1921, be, and the same is hereby, amended by adding to the list of members of the Quapaw Tribe therein enumerated, after the words Lucy Lottson Beaver, the names of three omitted members, to wit, Minnie Griffin, Lewis Quapaw, and Leona Quapaw, in order that the said named Indians may have the full benefit of the twenty-five year extension period provided by the Act.

Approved, November 18, 1921.

November 23, 1921.  
[S. 1283.]

[Private, No. 13.]

Chicago, Milwaukee  
and Saint Paul Rail-  
way Company and  
others.  
Jurisdiction given  
Court of Claims to  
hear, etc., claims of.

Proviso.  
Assignments not re-  
cognized.  
R. S., sec. 3477, p. 689

**CHAP. 150.**—An Act For the relief of the Chicago, Milwaukee and Saint Paul Railway Company; the Chicago, Saint Paul, Minneapolis and Omaha Railway Company; and the Saint Louis, Iron Mountain and Southern Railway Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, any statute of limitations to the contrary notwithstanding, the Court of Claims is hereby given jurisdiction to hear and determine the claims of the Chicago, Milwaukee and Saint Paul Railway Company, in accordance with the decisions of said court in causes numbered twenty-eight thousand two hundred and seventy-two, twenty-nine thousand six hundred and thirty-six, and thirty thousand one hundred and fifty-nine, and the claims of the Chicago, Saint Paul, Minneapolis and Omaha Railway Company, in accordance with the decision of said court in cause numbered twenty-nine thousand eight hundred and seventy-five, which was affirmed by the Supreme Court of the United States, and the claim of the Saint Louis, Iron Mountain and Southern Railway Company, in accordance with the decision of said court in cause numbered twenty-four thousand four hundred and nine: *Provided,* That said court in rendering judgment shall enforce the provisions of section 3477, Revised Statutes of the United States, prohibiting the assignment of claims against the United States, and shall render judgment for said claimants only for the amounts in which they, and not any predecessors of theirs, were underpaid, it being the

purpose of this Act to waive only the statute of limitations and not any other legal defense the United States may have to said claims: *Provided further*, That the same right of appeal to the Supreme Court of the United States as exists in other cases in the general jurisdiction of said court is hereby granted.

Appeal to Supreme Court.

Approved, November 23, 1921.

CHAP. 151.—An Act To authorize the Secretary of the Interior to execute deeds of reconveyance for certain lands in the city of Mount Pleasant, Isabella County, Michigan.

November 23, 1921.  
[H. R. 7061.]

[Private, No. 14.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized and directed to execute deeds on behalf of the United States of America to Walter F. Newberry, John C. Hicks, Barbara Granger Vowles (formerly Barbara Granger), Jean Gretchen Stickle, Bruce Granger Stickle, and Bruce Stickle, or their heirs, reconveying to said persons or their heirs certain lands in the city of Mount Pleasant, Michigan, heretofore conveyed by them to the United States of America, the appropriation for the purchase price of said lands having lapsed by operation of law.

Mount Pleasant,  
Mich.  
Lands in, recon-  
veyed to designated  
persons.

Approved, November 23, 1921.



# INDEX TO THE FOREGOING PRIVATE ACTS.

| A.  |  | Page. | Hicks, John C.,                              |  | Page. |
|---|--|-------|--|--|-------|
| <i>"Alden Besse," Barge,</i>                      |  |       | reconveyance of land, Mount Pleasant,        |  |       |
| owners of, may bring suit for collision           |  |       | Iowa, to.....                                |  | 7     |
| damages.....                                      |  | 4     | <i>Holmes, J. L.,</i>                        |  |       |
|   |  |       | quitclaim deed to lots in Whitefield, Okla., |  |       |
|   |  |       | granted to.....                              |  | 5     |
| C.  |  |       | I.   |  |       |
| <i>California Northern Judicial District,</i>     |  |       | <i>Indian Department,</i>                    |  |       |
| suits of owner of vessels "Hesperian" and         |  |       | alienation restrictions continued of certain |  |       |
| <i>"Alden Besse" for collision damages</i>        |  |       | Quapaw Indian allottees.....                 |  | 6     |
| <i>may be brought in.....</i>                     |  | 4     |  |  |       |
| <i>Chattahoochee River,</i>                       |  |       | M.   |  |       |
| West Point, Ga., released from liability for      |  |       | <i>McComas, E. W.,</i>                       |  |       |
| building bridge across.....                       |  | 3     | land patent to.....                          |  | 3     |
| <i>Chicago, Milwaukee and Saint Paul Railway</i>  |  |       | <i>Maddox, Major Francis M.,</i>             |  |       |
| <i>Company,</i>                                   |  |       | payment to, authorized in accounts of        |  |       |
| jurisdiction given Court of Claims to hear,       |  | 6     | Army paymaster.....                          |  | 2     |
| etc., claims of.....                              |  |       | <i>"Maryland," Dredge,</i>                   |  |       |
| <i>Chicago, Saint Paul, Minneapolis and Omaha</i> |  |       | owners of, may bring suit for collision      |  |       |
| <i>Railway Company,</i>                           |  |       | damages.....                                 |  | 3     |
| jurisdiction given Court of Claims to hear,       |  | 6     | <i>Mount Pleasant, Iowa,</i>                 |  |       |
| etc., claims of.....                              |  |       | lands in, reconveyed to designated persons.  |  | 7     |
| <i>Court of Claims,</i>                           |  |       |  |  |       |
| jurisdiction given to hear, etc., claims of       |  | 6     | N.   |  |       |
| <i>Chicago, Milwaukee and Saint Paul</i>          |  |       | <i>New York Southern Judicial District,</i>  |  |       |
| <i>Railway Company and others.....</i>            |  |       | suit of owners of steamer "Texas" for col-   |  |       |
|   |  |       | lision damages may be brought in..           |  | 5     |
|   |  |       | <i>Newberry, Walter F.,</i>                  |  |       |
|   |  |       | reconveyance of land, Mount Pleasant,        |  |       |
|   |  |       | Iowa, to.....                                |  | 7     |
| D.  |  |       | P.   |  |       |
| <i>Dampskibsselskabet Dannebrog, of Copenha-</i>  |  |       | <i>Peoples Bank of Mobile, Ala.,</i>         |  |       |
| <i>gen, Denmark,</i>                              |  |       | John Emile and, may bring suit for colli-    |  |       |
| may bring suit for collision damages to           |  |       | sion damages.....                            |  | 3     |
| steamship "Flynderborg".....                      |  | 1     | <i>Public Lands,</i>                         |  |       |
|   |  |       | patent authorized to E. W. McComas.....      |  | 3     |
|   |  |       | <i>Putman, Elijah C.,</i>                    |  |       |
|   |  |       | military service established.....            |  | 6     |
| E.  |  |       | Q.   |  |       |
| <i>Emile, John,</i>                               |  |       | <i>Quapaw Indians,</i>                       |  |       |
| Peoples Bank of Mobile, Ala., and, may            |  | 3     | alienation restrictions continued of desig-  |  |       |
| bring suit for collision damages.....             |  |       | nated allottees.....                         |  | 6     |
|   |  |       | <i>Quapaw, Leona,</i>                        |  |       |
|   |  |       | alienation restrictions of, Quapaw Indian    |  |       |
|   |  |       | allottee, continued.....                     |  | 6     |
|   |  |       | <i>Quapaw, Lewis,</i>                        |  |       |
|   |  |       | alienation restrictions of, Quapaw Indian    |  |       |
|   |  |       | allottee, continued.....                     |  | 6     |
| F.  |  |       | R.   |  |       |
| <i>Fidelity and Deposit Company of Maryland,</i>  |  |       | <i>Rolph Navigation and Coal Company,</i>    |  |       |
| redemption of lost certificates of indebted-      |  |       | may bring suits for collision damages to     |  |       |
| ness.....   |  | 2     | vessels, "Hesperian" and "Alden              |  |       |
| <i>Florida Southern Judicial District,</i>        |  |       | Besse".....                                  |  | 4     |
| suit of owners of dredge "Maryland" for           |  |       |  |  |       |
| collision damages, may be brought                 |  | 3     |  |  |       |
| in.....   |  |       |  |  |       |
| <i>"Flynderborg," Danish Steamship,</i>           |  |       |  |  |       |
| owners of, may bring suit for collision           |  | 1     |  |  |       |
| damages.....                                      |  |       |  |  |       |
| G.  |  |       |  |  |       |
| <i>Griffin, Minnie,</i>                           |  |       |  |  |       |
| alienation restrictions of, Quapaw Indian         |  | 6     |  |  |       |
| allottee, continued.....                          |  |       |  |  |       |
| H.  |  |       |  |  |       |
| <i>"Hesperian," Barkentine,</i>                   |  |       |  |  |       |
| owners of, may bring suit for collision           |  | 4     |  |  |       |
| damages.....                                      |  |       |  |  |       |

| S.  | Page. | T.   | Page. |
|---|-------|--|-------|
| <i>Saint Louis, Iron Mountain and Southern Railway,</i>   |       | "Texas," Steamer,<br>owners of, may bring suit for collision dam-<br>ages.....   | 5     |
| jurisdiction given Court of Claims to hear,<br>etc., claims of.....                               | 6     | V.   |       |
| <i>Southern Iron and Metal Company,</i>   |       | Vowles, Barbara Granger,<br>reconveyance of land, Mount Pleasant,<br>Iowa, to.....   | 7     |
| payment to.....   | 2     |  |       |
| <i>South Carolina Eastern Judicial District,</i>  |       | W.   |       |
| claim of owners of steamship "Flynder-<br>borg," for collision damages, may be<br>brought in..... | 1     | West Point, Ga.,<br>released from liability from building<br>bridge across Chattahoochee River .<br>to pay transportation expenses for mate-<br>rial, etc..... | 3     |
| <i>Stickle, Bruce,</i>  |       | Whitefield, Okla.,   | 3     |
| reconveyance of land, Mount Pleasant,<br>Iowa, to.....  | 7     | lots in, quitclaimed, etc., to J. L. Holmes.   | 5     |
| <i>Stickle, Bruce Granger,</i>  |       | Wilson, Maj. Louis C., U. S. Army,<br>credit in accounts for sum to be paid Maj.<br>Francis M. Maddox.....   | 2     |
| reconveyance of land, Mount Pleasant,<br>Iowa, to.....  | 7     |  |       |

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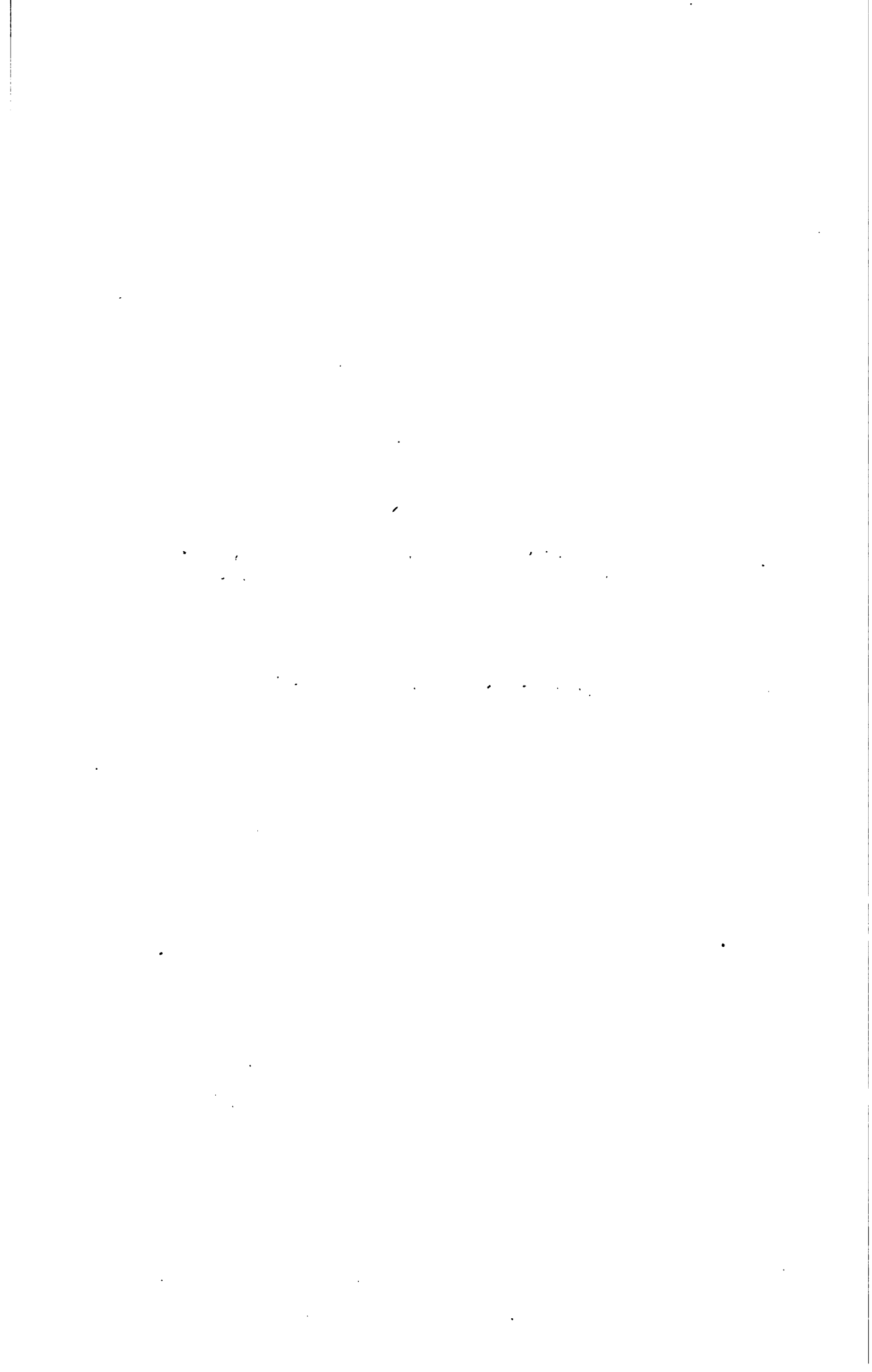
# CONCURRENT RESOLUTIONS

OF THE

TWO HOUSES OF CONGRESS.

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## LIST OF CONCURRENT RESOLUTIONS.

---

|   | Page. |
|---|-------|
| For joint meeting of the two Houses. April 12, 1921.....  | 1     |
| Creating Joint Agricultural Inquiry Commission. June 7, 1921.....   | 1     |
| Ordering vest pocket edition of Congressional Directory. June 24, 1921.....   | 2     |
| Authorizing appointment of Joint Committee to attend funeral of overseas soldiers. July 6, 1921.                            | 2     |
| Printing ordered of additional copies of Tariff Bill as a House document. July 11, 1921.....                                | 2     |
| Correcting title of bill relating to certificates of Philippine Islands Government. July 18, 1921..                         | 2     |
| Extending time for report by Joint Committee on Agricultural Inquiry. August 4, 1921.....                                   | 3     |
| Printing ordered of additional copies of Tariff Bill as a Senate document. August 17, 1921.....                             | 3     |
| For recess, from August 24 to September 21, 1921. August 24, 1921.....  | 3     |
| Printing ordered of additional copies of Revenue Bill, 1921. September 28, 1921.....  | 3     |
| Authorizing joint special committee investigating pay, etc., of Army, Navy, etc., to sit at any time. November 1, 1921..... | 4     |
| Authorizing placing of floral wreath on caisson of unknown soldier in the Rotunda. November 3, 1921.....                    | 4     |
| For adjournment of Congress. November 23, 1921.....   | 4     |





# CONCURRENT RESOLUTIONS OF CONGRESS.

FIRST SESSION, SIXTY-SEVENTH CONGRESS.

## JOINT MEETING.

April 12, 1921.  
[H. Con. Res., No. 1.]

*Resolved by the House of Representatives (the Senate concurring),*  
That the two Houses of Congress assemble in the hall of the House of Representatives on Tuesday, the 12th day of April, 1921, at 1 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Joint meeting of the two Houses to receive communications from the President.

Passed, April 12, 1921.

## AGRICULTURAL INQUIRY.

June 7, 1921.  
[H. Con. Res., No. 4.]

*Resolved by the Senate (the House of Representatives concurring),*  
That a joint commission is hereby created, to be known as the Joint Commission of Agricultural Inquiry which shall consist of five Senators, three of whom shall be members of the majority party and two of whom shall be members of the minority party, to be appointed by the President of the Senate, and five Representatives, three of whom shall be members of the majority party and two of whom shall be members of the minority party, to be appointed by the Speaker.

Agricultural Inquiry.  
Joint commission of Senators and Representatives created to investigate and report on.

Said commission shall investigate and report to the Congress within ninety days after the passage of this resolution upon the following subjects:

Subjects Designated.  
Post, p. 2.

1. The causes of the present condition of agriculture.
2. The cause of the difference between the prices of agricultural products paid to the producer and the ultimate cost to the consumer.
3. The comparative condition of industries other than agriculture.
4. The relation of prices of commodities other than agricultural products to such products.
5. The banking and financial resources and credits of the country, especially as affecting agricultural credits.
6. The marketing and transportation facilities of the country.

Legislative recommendations to be submitted.

The commission shall include in its report recommendations for legislation which in its opinion will tend to remedy existing conditions and shall specifically report upon the limitations of the powers of Congress in enacting relief legislation.

Organization.

The commission shall elect its chairman, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

Authority conferred.

The commission or any subcommittee of its members is authorized to sit during the sessions or recesses of Congress in the District of Columbia or elsewhere, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this resolution; such expenditure shall be paid from the contingent funds of the Senate and the House of Representatives in equal proportions, upon vouchers authorized by the committee and signed by the chairman thereof.

Expense from the contingent funds of both Houses.

Passed, June 7, 1921.

## CONCURRENT RESOLUTIONS OF CONGRESS.

June 24, 1921.  
[H. Con. Res., No. 18.]

## VEST-POCKET CONGRESSIONAL DIRECTORY.

Congressional Directory.  
Vest pocket edition of, ordered.

Preparation, etc.  
*Proviso.*  
Usual number not printed.

*Resolved by the House of Representatives (the Senate concurring), That there shall be printed and bound a vest-pocket edition of the Congressional Directory, of which there shall be one edition only during each session of Congress.*

The preparation, number, style, and distribution of such Directory shall be under the control of the Joint Committee on Printing: *Provided, however,* That the usual number shall not be printed.

Passed, June 24, 1921.

July 6, 1921.  
[H. Con. Res., No. 22.]

## FUNERAL OF OVERSEAS SOLDIERS.

Funeral of overseas soldiers.  
Joint Committee authorized to attend services of.

Expenses from contingent funds.

*Resolved by the House of Representatives (the Senate concurring), That the Speaker is hereby authorized to appoint a committee of five Members, which committee, together with such as may be appointed by the President of the Senate, be, and are hereby, authorized to attend the funeral services of seven thousand one hundred and sixty-one soldiers from overseas, to be held on Pier Four, Hoboken, New Jersey, on the afternoon of Sunday, July tenth, at three o'clock.*

The expense incident to such attendance to be paid one-half from the contingent fund of the House and one-half from the contingent fund of the Senate.

Passed, July 6, 1921.

July 11, 1921.  
[H. Con. Res., No. 23.]

## TARIFF BILL.

Tariff Bill.  
Additional copies of, with index, ordered printed as a House document.  
*Post, p. 3.*

Distribution.

*Resolved by the House of Representatives (the Senate concurring), That the bill (H. R. 7456) "To provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes," be printed as a House document with an index, and that fifteen thousand additional copies be printed, of which nine thousand shall be for the use of the House, to be distributed through the folding room, four thousand for the Senate, one thousand for the Committee on Ways and Means of the House, and one thousand for the Committee on Finance of the Senate.*

Passed, July 11, 1921.

July 13, 1921.  
[H. Con. Res., No. 24.]

## PHILIPPINE ISLANDS.

Philippine Islands Government.  
Correction in title of bill relating to certificates of, directed.

Public Laws, p. 145.

*Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 5756) entitled "An Act to amend an Act entitled 'An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for these islands,' approved August 19, 1916; and to amend an Act entitled 'An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' approved March 2, 1903," the Clerk be authorized and directed to enroll the title so as to read as follows:*

An Act to amend an Act entitled "An Act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a

# CONCURRENT RESOLUTIONS OF CONGRESS.

3

more autonomous government for these islands," approved August 29, 1916; and to amend an Act entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," approved March 2, 1903.

Passed, July 18, 1921.

## AGRICULTURAL INQUIRY.

August 4, 1921.  
[H. Con. Res., No. 26.]

*Resolved by the House of Representatives (the Senate concurring), That the time for the completion of the investigation by the Joint Commission of Agricultural Inquiry created by Senate Concurrent Resolution Number Four, of the present session, and the filing of the report to Congress therein directed to be made, be, and the same is hereby, extended to a date not later than the first Monday in January, 1922.*

Agricultural inquiry.  
Time extended for report by joint committee on.  
*Ante*, p. 1.

Passed, August 4, 1921.

## TARIFF BILL.

August 17, 1921.  
[S. Con. Res., No. 7.]

*Resolved by the Senate (the House of Representatives concurring), That the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage industries of the United States, and for other purposes, as passed by the House of Representatives, be printed as a Senate document with an index, and that six thousand additional copies be printed, of which two thousand shall be for the Senate Document Room; two thousand for the House Document Room; one thousand for the Committee on Finance of the Senate, and one thousand for the Committee on Ways and Means of the House.*

Tariff bill.  
Additional copies of, with index, ordered printed as a Senate document.  
*Ante*, p. 2.

Distribution.

Passed, August 17, 1921.

## RECESS.

August 24, 1921.  
[S. Con. Res., No. 8.]

*Resolved by the Senate (the House of Representatives concurring), That when the two Houses adjourn on Wednesday, the 24th day of August, 1921, they stand adjourned until twelve o'clock meridian on Wednesday, the 21st day of September, 1921.*

Recess of Congress.  
Authorized from August 24th until September 21st, 1921.

Passed, August 24, 1921.

## REVENUE BILL, 1921.

September 28, 1921.  
[S. Con. Res., No. 12.]

*Resolved by the Senate (the House of Representatives concurring), That the bill (H. R. 8245) to reduce and equalize taxation, to amend and simplify the revenue Act of 1918, and for other purposes, as reported to the United States Senate on September 26, 1921, be printed as a Senate document with an index, and that 19,000 additional copies be printed of which 7,000 shall be for the Senate document room, 10,000 for the House document room, 1,000 for the Committee on Finance of the Senate, and 1,000 for the Committee on Ways and Means of the House of Representatives.*

Revenue bill, 1921.  
Copies of, with index, ordered printed.

Distribution.

Passed, September 28, 1921.

## CONCURRENT RESOLUTIONS OF CONGRESS.

November 1, 1921.  
[S. Con. Res., No. 11.]

## PAY, ETC., OF ARMY, NAVY, ETC.

Pay, etc., of Army,  
Navy, etc.  
Joint special com-  
mittee investigating,  
authorized to sit at any  
time.  
Vol. 41, p. 604.  
Hearings.

Expenses, from con-  
tingent funds of both  
Houses.

*Resolved by the Senate (the House of Representatives concurring),*  
That the special committee appointed in accordance with the provisions of section 13 of the Act entitled "An Act to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved May 18, 1920, or any subcommittee thereof, is authorized to sit at any time, in the District of Columbia or elsewhere, to send for persons, books, and papers, to administer oaths, to summon and compel the attendance of witnesses, to employ a stenographer, at a cost per printed page as fixed by law, to report such hearings as may be had in connection with any subject which may come before said committee, to print such hearings and other matter as may be necessary, and to employ such clerical services as may be necessary to carry out the purposes of this Act. All expenses in pursuance hereof shall be paid from the contingent funds of the Senate and House of Representatives, in equal proportions, upon vouchers authorized by the committee and signed by the chairman and vice chairman thereof.

Passed, November 1, 1921.

November 3, 1921.  
[S. Con. Res., No. 14.]

## UNKNOWN SOLDIER.

Unknown soldier.  
Floral wreath to be  
placed on caisson of, in  
the Rotunda.  
Vol. 41, p. 1447.  
Public Laws, p. 191.

Expenses from con-  
tingent funds of both  
Houses.

*Resolved by the Senate (the House of Representatives concurring),*  
That the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House of Representatives be, and they are hereby, authorized and directed to purchase a floral wreath to be placed upon the caisson, bearing the remains of the unknown soldier which are to lie in state in the rotunda of the Capitol of the United States from November 9 to November 11, 1921, the expense of same to be paid in equal proportions from the contingent funds of the Senate and House of Representatives.

Passed, November 3, 1921.

November 23, 1921.  
[S. Con. Res., No. 15.]

## ADJOURNMENT.

Adjournment of Con-  
gress, November 23,  
1921.

*Resolved by the Senate (the House of Representatives concurring),*  
That the two Houses of Congress shall adjourn on Wednesday, the 23rd day of November, 1921, and that when they adjourn on said day they stand adjourned sine die.

Passed, November 23, 1921.

# INDEX TO THE FOREGOING CONCURRENT RESOLUTIONS.

| A.   | Page. | M.  | Page. |
|--|-------|---|-------|
| <i>Adjournment of Congress</i> ,<br>ordered, November 23, 1921.....  | 4     | <i>Marine Corps</i> ,<br>joint special committee investigating pay,<br>etc., to sit at any time.....  | 4     |
| <i>Agricultural Inquiry</i> ,<br>Joint Congressional Commission, to investi-<br>gate and report on, created.....   | 1     | N.  |       |
| time extended for report by.....   | 3     | <i>Navy</i> ,<br>joint special committee investigating pay,<br>etc., to sit at any time.....  | 4     |
| <i>American Soldier, Unknown</i> ,<br>floral wreath to be placed on caisson of, in<br>the Rotunda of the Capitol.....  | 4     | O.  |       |
| <i>American Soldiers</i> ,<br>joint Congressional committee to attend<br>funeral of overseas soldiers, at<br>Hoboken, N. J.....  | 2     | <i>Overseas Soldiers</i> ,<br>joint Congressional committee to attend<br>funeral services of, at Hoboken,<br>N. J.....  | 2     |
| <i>Army</i> ,<br>joint special committee investigating, pay,<br>etc., to sit at any time.....  | 4     | P.  |       |
| C.   |       | <i>Pay, etc., Army</i> ,<br>joint Congressional committee investigat-<br>ing, to sit at any time.....   | 4     |
| <i>Coast and Geodetic Survey</i> ,<br>joint special committee investigating, pay,<br>etc., to sit at any time.....   | 4     | <i>Philippine Islands</i> ,<br>correction in title of bill relating to certi-<br>ficates of indebtedness, etc., of, di-<br>rected.....                          | 2     |
| <i>Coast Guard</i> ,<br>joint special committee investigating, pay,<br>etc., to sit at any time.....   | 4     | <i>President of the United States</i> ,<br>joint meeting of the two Houses of Con-<br>gress, to receive communications<br>from, ordered for April 12, 1921..... | 1     |
| <i>Congress</i> ,<br>adjournment of, ordered for November 23,<br>1921.....   | 4     | <i>Public Health Service</i> ,<br>joint special committee investigating, pay,<br>etc., to sit at any time.....  | 4     |
| joint committee of, authorized to attend<br>funeral of overseas soldiers.....  | 2     | <i>Public Printing and Binding</i> ,<br>ordered: Congressional Directory, vest<br>pocket edition.....   | 2     |
| joint session of, authorized to receive com-<br>munication from the President,<br>April 12, 1921.....  | 1     | revenue bill of 1921 as a Senate docu-<br>ment.....   | 3     |
| recess ordered of, August 24 to September<br>21, 1921.....   | 3     | tariff bill as a House document.....  | 2     |
| <i>Congressional Directory</i> ,<br>vest pocket edition of, ordered.....   | 2     | as a Senate document.....   | 3     |
| H.   |       | R.  |       |
| <i>Hoboken, N. J.</i> ,<br>Joint Congressional Committee authorized<br>to attend funeral services of overseas<br>soldiers, at.....   | 2     | <i>Recess of Congress</i> ,<br>ordered, August 24 to September 21, 1921..   | 3     |
| <i>House of Representatives</i> ,<br>five Members to serve on joint committee<br>to attend funeral of overseas soldiers<br>joint meeting of the Senate and, ordered<br>for April 12, 1921..... | 2     | <i>Revenue Bill of 1921</i> ,<br>additional copies of, ordered printed.....   | 3     |
| three Members to serve on joint agricultural<br>inquiry commission.....  | 1     | S.  |       |
| J.   |       | <i>Senate</i> ,<br>five Senators to serve on joint committee<br>to attend funeral services of Ameri-<br>can overseas soldiers.....                              | 2     |
| <i>Joint Committee Investigating Pay, etc., Army</i> ,<br><i>Navy, etc.</i> ,<br>authorized to sit at any time.....  | 4     | joint meeting of the House of Representa-<br>tives and, ordered for April 12, 1921..  | 1     |
| <i>Joint Congressional Commission on Agricul-<br/>tural Inquiry</i> ,<br>creation and duties of.....   | 1     | three Members to serve on joint agricultural<br>inquiry commission.....   | 1     |
| time extended for report by.....   | 3     | T.  |       |
| <i>Joint Meeting of the Senate and House of Re-<br/>presentatives</i> ,<br>ordered for April 12, 1921.....   | 1     | <i>Tariff Bill</i> .<br>additional copies of, with index, ordered<br>as a House document.....   | 2     |
|  |       | Senate document.....  | 3     |
|  |       | U.  |       |
|  |       | <i>Unknown Unidentified Soldier</i> ,<br>floral wreath to be placed on caisson of,<br>in the Rotunda of Capitol.....  | 4     |



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# TREATIES AND CONVENTIONS

CONCLUDED BY THE

UNITED STATES OF AMERICA

WITH

FOREIGN NATIONS.

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## LIST OF TREATIES AND CONVENTIONS.

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|   | Page. |
|---|-------|
| International Sanitary Convention. Signed at Paris, January 17, 1912; proclaimed, December 11, 1920.....                        | 1     |
| General peace treaty with Venezuela. Signed at Caracas, March 21, 1914; proclaimed, March 21, 1921.....                         | 98    |
| Claims agreement with Norway. Signed at Washington, June 30, 1921; proclaimed, August 24, 1921.                                 | 103   |
| Treaty of amity, commerce, and navigation with Siam. Signed at Washington, December 16, 1920; proclaimed, October 12, 1921..... | 106   |
| Arbitration agreement with Portugal. Signed at Lisbon, September 14, 1920; proclaimed, October 31, 1921.....                    | 115   |
| Treaty of peace with Germany. Signed at Berlin, August 25, 1921; proclaimed, November 14, 1921.                                 | 117   |
| Treaty of peace with Austria. Signed at Vienna, August 24, 1921; proclaimed, November 17, 1921.                                 | 124   |



## TREATIES AND CONVENTIONS.

*International Sanitary Convention. Signed at Paris, January 17, 1912; ratification advised by the Senate, February 19, 1913; ratified by the President, March 22, 1913; ratification of the United States, deposited with the Government of France, October 7, 1920; proclaimed, December 11, 1920.*

January 17, 1912.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas an International Sanitary Convention was concluded and signed at Paris on January 17, 1912, by the Plenipotentiaries of the United States of America and certain other Powers, the original of which Convention, in the French language, is word for word as follows:

International Sanitary Convention.  
Preamble.

[Translation.]

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE, AU NOM DE L'EMPIRE ALLEMAND; LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE; SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME, ETC., ETC., ET ROI APOSTOLIQUE DE HONGRIE; SA MAJESTÉ LE ROI DES BELGES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE; LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-UNIS DU BRÉSIL; SA MAJESTÉ LE ROI DES BULGARES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU CHILI; LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE COSTARICA; LE PRÉSIDENT DE LA RÉPUBLIQUE DE CUBA; SA MAJESTÉ LE ROI DE DANEMARK; LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR; SA MAJESTÉ LE ROI D'ESPAGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; SA MAJESTÉ

HIS MAJESTY THE EMPEROR OF GERMANY, KING OF PRUSSIA, IN THE NAME OF THE GERMAN EMPIRE; THE PRESIDENT OF THE UNITED STATES OF AMERICA; THE PRESIDENT OF THE ARGENTINE REPUBLIC; HIS MAJESTY THE EMPEROR OF AUSTRIA, KING OF BOHEMIA, ETC., ETC., AND APOSTOLICAL KING OF HUNGARY; HIS MAJESTY THE KING OF THE BELGIANS; THE PRESIDENT OF THE REPUBLIC OF BOLIVIA; THE PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL; HIS MAJESTY THE KING OF THE BULGARIANS; THE PRESIDENT OF THE REPUBLIC OF CHILE; THE PRESIDENT OF THE REPUBLIC OF COLOMBIA; THE PRESIDENT OF THE REPUBLIC OF COSTA RICA; THE PRESIDENT OF THE REPUBLIC OF CUBA; HIS MAJESTY THE KING OF DENMARK; THE PRESIDENT OF THE REPUBLIC OF ECUADOR; HIS MAJESTY THE KING OF SPAIN; THE PRES-

Contracting Powers.

LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES; SA MAJESTÉ LE ROI DES HELLENES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI; LE PRÉSIDENT DE LA RÉPUBLIQUE DE HONDURAS; SA MAJESTÉ LE ROI D'ITALIE; SON ALTESSE ROYALE LE GRAND-DUC DE LUXEMBOURG; LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS; SA MAJESTÉ LE ROI DE MONTE-NÉGRE; SA MAJESTÉ LE ROI DE NORVÈGE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA; SA MAJESTÉ LA REINE DES PAYS-BAS; SA MAJESTÉ LE SHAH DE PERSE; LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE; SA MAJESTÉ LE ROI DE ROUMANIE; SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU SALVADOR; SA MAJESTÉ LE ROI DE SERBIE; SA MAJESTÉ LE ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL SUISSE; SA MAJESTÉ L'EMPEREUR DES OTTOMANS; SON ALTESSE LE KHEDEVE D'ÉGYPTE, AGISSANT DANS LES LIMITES DES POUVOIRS À LUI CONFERÉS PAR LES FIRMANES IMPÉRIALES, ET LE PRÉSIDENT DE LA RÉPUBLIQUE ORIENTALE DE L'URUGUAY,

IDENT OF THE FRENCH REPUBLIC: HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND THE BRITISH TERRITORIES BEYOND THE SEAS, EMPEROR OF INDIA; HIS MAJESTY THE KING OF THE HELLENES; THE PRESIDENT OF THE REPUBLIC OF GUATEMALA; THE PRESIDENT OF THE REPUBLIC OF HAITI; THE PRESIDENT OF THE REPUBLIC OF HONDURAS; HIS MAJESTY THE KING OF ITALY; HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBURG; THE PRESIDENT OF THE UNITED MEXICAN STATES; HIS MAJESTY THE KING OF MONTENEGRO; HIS MAJESTY THE KING OF NORWAY; THE PRESIDENT OF THE REPUBLIC OF PANAMA; HER MAJESTY THE QUEEN OF THE NETHERLANDS; HIS MAJESTY THE SHAH OF PERSIA; THE PRESIDENT OF THE PORTUGUESE REPUBLIC; HIS MAJESTY THE KING OF RUMANIA; HIS MAJESTY THE EMPEROR OF ALL THE RUSSIAS; THE PRESIDENT OF THE REPUBLIC OF SALVADOR; HIS MAJESTY THE KING OF SERVIA; HIS MAJESTY THE KING OF SIAM; HIS MAJESTY THE KING OF SWEDEN; THE SWISS FEDERAL COUNCIL; HIS MAJESTY THE EMPEROR OF THE OTTOMANS; HIS HIGHNESS THE KHEDEVE OF EGYPT, ACTING WITHIN THE LIMITS OF THE POWERS CONFERRED UPON HIM BY THE IMPERIAL FIRMANES, AND THE PRESIDENT OF THE ORIENTAL REPUBLIC OF URUGUAY.

Vol. 35, p. 1770, modified.

Ayant décidé d'apporter dans les dispositions de la Convention sanitaire, signée à Paris le 3 décembre 1903, les modifications que comportent les données nouvelles de la science et de l'expérience prophylactiques, d'établir une réglementation internationale relative à la fièvre jaune et d'étendre,

Addition of yellow fever, etc.

Having decided to make such modifications in the provisions of the Sanitary Convention signed at Paris on December 3, 1903, as are warranted by the new data of prophylactic science and experience, to enact new international regulations in regard to yellow fever, and to extend as far as possible the

autant qu'il est possible, le champ d'application des principes qui ont inspiré la réglementation sanitaire internationale, ont nommé pour Leurs Plénipotentiaires, savoir:

**SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE,**

M. le Baron DE STEIN, Conseiller intime supérieur de Gouvernement, Conseiller rapporteur à l'Office impérial de l'Intérieur, Membre du Conseil sanitaire de l'Empire;

M. le Professeur GAFFKY, Conseiller intime supérieur de médecine, Directeur de l'Institut royal pour les maladies infectieuses à Berlin, Membre du Conseil sanitaire de l'Empire;

**LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE,**

M. A. BAILLY-BLANCHARD, Ministre plénipotentiaire, Conseiller de l'Ambassade des États-Unis d'Amérique à Paris;

**LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE,**

M. le Docteur Francisco DE VEYGA, Inspecteur général des Services de santé de l'Armée argentine, Professeur à la Faculté de médecine et Membre du Conseil national d'hygiène;

M. le Docteur Ezequiel CASTILLA, Membre du Comité de l'Office International d'hygiène publique;

**SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME, ETC., ETC., ET ROI APOSTOLIQUE DE HONGRIE,**

M. le Baron Maximilien DE GAGERN, Grand-Croix de l'Ordre impérial autrichien de François-Joseph, Son Envoyé extraordinaire et Ministre plénipotentiaire auprès de la Confédération suisse;

M. le Chevalier François DE HABERLER, Docteur en droit et en médecine, Conseiller ministériel au Ministère I. R. autrichien de l'Intérieur;

M. Étienne WORMS, Docteur en droit, Chevalier de l'Ordre impérial autrichien de François-Joseph, Conseiller de section au Ministère I. R. autrichien du Commerce.

field of application of the principles underlying the international sanitary regulations, have appointed as their Plenipotentiaries, to wit:

**HIS MAJESTY THE EMPEROR OF GERMANY, KING OF PRUSSIA,**

Baron von Stein, Superior Privy Government Counselor, Reporting Counselor in the Imperial Office of the Interior, member of the Board of Health of the Empire;

Professor Gaffky, Superior Privy Medical Councilor, Director of the Royal Institute for Infectious Diseases at Berlin, member of the Board of Health of the Empire;

**THE PRESIDENT OF THE UNITED STATES OF AMERICA,**

Mr. A. Bailly-Blanchard, Minister Plenipotentiary, Counselor of the Embassy of the United States of America at Paris;

**THE PRESIDENT OF THE ARGENTINE REPUBLIC,**

Dr. Francisco de Veyga, Inspector General of the Medical Services of the Argentine Army, Professor in the Faculty of Medicine and member of the National Board of Hygiene;

Dr. Ezequiel Castilla, member of the Committee of the International Office of Public Hygiene;

**HIS MAJESTY THE EMPEROR OF AUSTRIA, KING OF BOHEMIA, ETC., ETC., AND APOSTOLICAL KING OF HUNGARY,**

Baron Maximilian von Gagern, Grand Cross of the Imperial Austrian Order of Francis Joseph, His Envoy Extraordinary and Minister Plenipotentiary to the Swiss Confederation;

Knight Francis von Haberler, Doctor of Law and Medicine, Ministerial Counselor in the Imperial-Royal Austrian Ministry of the Interior;

Mr. Étienne Worms, Doctor of Law, Knight of the Imperial Austrian Order of Francis Joseph, Section Counselor in the Imperial Royal Austrian Ministry of Commerce;

Plenipotentiaries.

Plenipotentiaries—  
Continued.

**M. Jules BÖLCS DE NAGYBUDAFI**, Conseiller au Ministère royal hongrois de l'Intérieur;

**M. le Baron Calman DE MÜLLER**, Docteur en médecine, Conseiller ministériel, Professeur à l'Université royale hongroise de Budapest, Président du Conseil desanté du Royaume, Membre de la Chambre hongroise des Magnats;

**SA MAJESTÉ LE ROI DES BELGES**,

**M. O. VELGHE**, Directeur général du Service de santé et de l'hygiène au Ministère de l'Intérieur, Membre-Secrétaire du Conseil supérieur d'hygiène, Officier de l'Ordre de Léopold;

**M. E. VAN ERMENGEM**, Professeur à l'Université de Gand, Membre du Conseil supérieur d'hygiène, Commandeur de l'Ordre de Léopold;

**LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE**,

**M. Ismael MONTES**, Son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

**M. le Docteur CHERVIN**, Chevalier de l'Ordre national de la Légion d'honneur;

**LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-UNIS DU BRÉSIL**,

**M. le Docteur Henrique DE FIGUEIREDO VASCONCELLOS**, Chef de service à l'Institut Oswaldo Cruz, à Rio de Janeiro;

**SA MAJESTÉ LE ROI DES BULGARES**,

**M. Dimitri STANCIOFF**, Son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

**M. le Docteur CHICHKOFF**, Capitaine sanitaire de l'Armée bulgare;

**LE PRÉSIDENT DE LA RÉPUBLIQUE DU CHILI**,

**M. Federico PUGA BORNE**, Son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

**LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE**,

**M. le Docteur Juan E. MANRIQUE**, Ministre plénipotentiaire;

**LE PRÉSIDENT DE LA RÉPUBLIQUE DE COSTA-RICA**,

**Mr. Jules Bölcs de Nagybudafa**, Counselor in the Royal Hungarian Ministry of the Interior;

**Baron Calman von Müller**, Doctor of Medicine, Ministerial Counselor, Professor in the Royal Hungarian University of Budapest, President of the Board of Health of the Kingdom, member of the Hungarian Chamber of Magnates;

**HIS MAJESTY THE KING OF THE BELGIANS**,

**Mr. O. Velghe**, Director General of the Sanitary and Hygienic Service in the Ministry of the Interior, Secretary Member of the Superior Board of Hygiene, Officer of the Order of Leopold;

**Mr. E. van Ermengem**, Professor in the University of Ghent, member of the Superior Board of Hygiene, Commander of the Order of Leopold;

**THE PRESIDENT OF THE REPUBLIC OF BOLIVIA**,

**Mr. Ismael Montes**, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

**Dr. Charvin**, Knight of the National Order of the Legion of Honor;

**THE PRESIDENT OF THE REPUBLIC OF THE UNITED STATES OF BRAZIL**,

**Dr. Henrique de Figueiredo Vasconcellos**, Chief of Service in the Oswaldo Cruz Institute at Rio de Janeiro;

**HIS MAJESTY THE KING OF THE BULGARIANS**,

**Mr. Dimitrius Stancioff**, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

**Dr. Chichkoff**, Medical Captain in the Bulgarian Army;

**THE PRESIDENT OF THE REPUBLIC OF CHILE**,

**Mr. Federico Puga Borne**, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

**THE PRESIDENT OF THE REPUBLIC OF COLOMBIA**,

**Dr. Juan E. Manrique**, Minister Plenipotentiary;

**THE PRESIDENT OF THE REPUBLIC OF COSTA RICA**,

M. le Docteur Alberto ALVAREZ CAÑAS, Consul général de la République de Costa-Rica à Paris;

LE PRÉSIDENT DE LA RÉPUBLIQUE DE CUBA,

M. le général Tomas COLLAZO y TEJADA, son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

SA MAJESTÉ LE ROI DE DANEMARK,

M. le Comte DE REVENTLOW, Grand-Croix de l'Ordre du Danebrog, son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR,

M. Victor M. RENDON, son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

M. E. DORN Y DE ALSUA, premier Secrétaire de la Légation de la République de l'Équateur à Paris;

SA MAJESTÉ LE ROI D'ESPAGNE,

M. Francisco DE REYNOSO, Ministre-Résident, Conseiller de l'Ambassade royale d'Espagne à Paris;

M. le Docteur Angel PULIDO FERNANDEZ, Conseiller sanitaire, ancien Directeur général de la Santé, Sénateur à vie du Royaume;

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE,

M. Camille BARRÈRE, Ambassadeur de la République française près S. M. le Roi d'Italie, Grand-Croix de l'Ordre national de la Légion d'Honneur;

M. Fernand GAVARRY, Ministre plénipotentiaire de 1<sup>re</sup> classe, Directeur des Affaires administratives et techniques au Ministère des Affaires étrangères, Officier de l'Ordre national de la Légion d'Honneur;

M. le Docteur Émile ROUX, Président du Conseil supérieur d'hygiène publique de France, Directeur de l'Institut Pasteur, Commandeur de l'Ordre national de la Légion d'honneur;

Dr. Alberto Alvarez Cañas, Consul General of the Republic of Costa Rica at Paris;

THE PRESIDENT OF THE REPUBLIC OF CUBA,

General Tomás Collazo y Tejada, his Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

HIS MAJESTY THE KING OF DENMARK,

Count de Reventlow, Grand Cross of the Order of Danebrog, his Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

THE PRESIDENT OF THE REPUBLIC OF ECUADOR,

Mr. Victor M. Rendon, his Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

Mr. E. Dorn y de Alsua, First Secretary of the Legation of the Republic of Ecuador at Paris;

HIS MAJESTY THE KING OF SPAIN,

Mr. Francisco de Reynoso, Minister Resident, Counselor of the Royal Embassy of Spain at Paris;

Dr. Angel Pulido Fernandez, Sanitary Counselor, former Director General of Health. Life Senator of the Kingdom;

THE PRESIDENT OF THE FRENCH REPUBLIC,

Mr. Camille Barrère, Ambassador of the French Republic to H. M. the King of Italy, Grand Cross of the National Order of the Legion of Honor;

Mr. Fernand Gavarry, Minister Plenipotentiary of the first class, Director of Administrative and Technical Affairs in the Ministry of Foreign Affairs, Officer of the National Order of the Legion of Honor;

Dr. Emile Roux, President of the Superior Board of Public Hygiene of France, Director of the Pasteur Institute, Commander of the National Order of the Legion of Honor;

Plenipotentiaries—  
Continued.



Plenipotentiaries—  
Continued.

M. Louis MIRMAN, Directeur de l'Assistance et de l'Hygiène publiques au Ministère de l'Intérieur;

M. le Docteur A. CALMETTE, Directeur de l'Institut Pasteur de Lille, Officier de l'Ordre national de la Légion d'Honneur;

M. Ernest RONSSIN, Consul général de France aux Indes, Officier de l'Ordre national de la Légion d'Honneur;

M. Georges HARISMENDY, Consul général, chargé de la Sous-Direction des Unions internationales et des Affaires consulaires au Ministère des Affaires étrangères, Chevalier de l'Ordre national de la Légion d'Honneur;

M. Paul ROUX, Sous-Directeur au Ministère de l'Intérieur, Chevalier de l'Ordre national de la Légion d'Honneur;

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES,

L'Honorable Lancelot Douglas CARNEGIE, Ministre plénipotentiaire, Conseiller de l'Ambassade royale britannique à Paris, Membre de l'Ordre royal de Victoria;

M. le Docteur Ralph William JOHNSTONE, Inspecteur médical du Local Government Board;

M. le Chirurgien général Sir Benjamin FRANKLIN, ancien Directeur général du Service médical Indien et ancien Chef du Service sanitaire pour les Indes britanniques, Chevalier-Commandeur de l'Ordre de l'Empire des Indes, Chevalier de Grâce de l'Ordre de Saint-Jean de Jérusalem;

SA MAJESTÉ LE ROI DES HELLENES,

M. Démétrius CAOLAMANOS, premier Secrétaire de la Légation royale de Grèce à Paris;

LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA,

M. José Maria LARDIZÁBAL, Chargé d'affaires de la République de Guatémala à Paris;

Mr. Louis Mirman, Director of Public Assistance and Hygiene in the Ministry of the Interior;

Dr. A. Calmette, Director of the Pasteur Institute of Lille, Officer of the National Order of the Legion of Honor;

Mr. Ernest Ronssin, Consul General of France in India, Officer of the National Order of the Legion of Honor;

Mr. Georges Harismendy, Consul General, Assistant Chief of the Bureau of International Unions and Consular Affairs in the Ministry of Foreign Affairs, Knight of the National Order of the Legion of Honor;

Mr. Paul Roux, Assistant Chief in the Ministry of the Interior, Knight of the National Order of the Legion of Honor;

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH TERRITORIES BEYOND THE SEAS, EMPEROR OF INDIA.

The Honorable Lancelot Douglas Carnegie, Minister Plenipotentiary, Counselor of the Royal British Embassy at Paris, member of the Royal Order of Victoria;

Dr. Ralph William Johnstone, Medical Inspector of the Local Government Board;

Surgeon General Sir Benjamin Franklin, former Director General of the Indian Medical Service and former Head of the Health Service for British India, Knight Commander of the Order of the Empire of India, Knight of Grace of the Order of St. John of Jerusalem;

HIS MAJESTY THE KING OF THE GREEKS,

Mr. Demetrius Caclamano, First Secretary of the Royal Legation of Greece at Paris;

The President of the Republic of Guatemala,

Mr. José Maria Lardizabal, Chargé d'Affaires of the Republic of Guatemala at Paris;

**LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI,**

M. le Docteur Auguste CASSEUS;

**LE PRÉSIDENT DE LA RÉPUBLIQUE DE HONDURAS,**

M. Désiré PECTOR, Consul général de la République de Honduras à Paris, Membre de la Cour permanente d'arbitrage de La Haye;

**SA MAJESTÉ LE ROI D'ITALIE,**

M. le Commandeur Rocco SANTOLIVIDO, Docteur en médecine, Député, Directeur Général de la Santé publique du Royaume;

M. le Docteur Adolfo COTTA, Chef de division au Ministère royal de l'Intérieur;

**SON ALTESSE ROYALE LE GRAND-DUC DE LUXEMBOURG,**

M. E. L. BASTIN, Consul de Luxembourg à Paris;

M. le Docteur PRAUM, Directeur du Laboratoire pratique de bactériologie à Luxembourg;

**LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS,**

M. le Docteur Miguel ZUÑIGA Y AZCARATE;

**SA MAJESTÉ LE ROI DE MONTÉNÉGRO,**

M. Louis BRUNET, Consul général de Monténégro à Paris;

M. le Docteur Édouard BINET, Médecin en chef de l'Hospice des Quinze-Vingts;

**SA MAJESTÉ LE ROI DE NORVÈGE,**

M. Frédéric, Hartvig, Herman WEDEL JARLSBERG, Son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

**LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA,**

M. Juan Antonio JIMENEZ, Chargé d'affaires de la République de Panama à Paris;

**SA MAJESTÉ LA REINE DES PAYS-BAS,**

M. le Docteur W. P. RUYSCH, Inspecteur général du Service sanitaire dans la Hollande méridionale et la Zélande;

**THE PRESIDENT OF THE REPUBLIC OF HAITI,**

Dr. August Casseus;

**THE PRESIDENT OF THE REPUBLIC OF HONDURAS,**

Mr. Désiré Pector, Consul General of the Republic of Honduras at Paris, member of the Permanent Court of Arbitration of The Hague;

**HIS MAJESTY THE KING OF ITALY,**

Commander Rocco Santolivido, Deputy Doctor of Medicine, Director General of Public Health of the Kingdom;

Dr. Adolfo Cotta, Chief of Division in the Royal Ministry of the Interior;

**HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBURG,**

Mr. E. L. Bastin, Consul of Luxembourg at Paris;

Dr. Praum, Director of the Practical Laboratory of Bacteriology at Luxembourg;

**THE PRESIDENT OF THE UNITED MEXICAN STATES,**

Dr. Miguel Zuñiga y Azcarate;

**HIS MAJESTY THE KING OF MONTENEGRO,**

Mr. Louis Brunet, Consul General of Montenegro at Paris;

Dr. Edouard Binet, Chief Surgeon of the Hospital of the Eight Score;

**HIS MAJESTY THE KING OF NORWAY,**

Mr. Frederick, Hartvig, Herman Wedel Jarlsberg, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

**THE PRESIDENT OF THE REPUBLIC OF PANAMA,**

Mr. Juan Antonio Jimenez, Chargé d'Affaires of the Republic of Panama at Paris;

**HER MAJESTY THE QUEEN OF THE NETHERLANDS,**

Dr. W. P. Ruysch, Inspector General of the Sanitary Service of South Holland and Zealand;

Plenipotentiaries--  
Continued.

Plenipotentiaries—  
Continued.

M. le Docteur C. WINKLER, Médecin Inspecteur en retraite du Service sanitaire civil pour Java et Madoura;

SA MAJESTÉ LE SHAH DE PERSE,

SAMAD KHAN MOMTAZOS SALTANEH, Son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République Française;

LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE,

M. le Docteur Antonio Augusto Gonçalves BRAGA, Médecin sanitaire et maritime à Lisbonne;

SA MAJESTÉ LE ROI DE ROUMANIE,

M. Alexandre Em. LAHOVARY, Son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES,

M. Platon DE WAXEL, Conseiller privé, Membre permanent du Conseil du Ministère des Affaires étrangères et du Conseil d'hygiène publique au Ministère impérial de l'Intérieur;

M. le Docteur FREYBERG, Conseiller d'Etat actuel, Fonctionnaire du Ministère impérial de l'Intérieur, Représentant de la Commission instituée d'ordre suprême contre la propagation de la peste;

LE PRÉSIDENT DE LA RÉPUBLIQUE DU SALVADOR,

M. le Docteur S. LETONA, Consul général de la République de Salvador à Paris;

SA MAJESTÉ LE ROI DE SERBIE,

M. le Docteur Milenko VESNITCH, Son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République française;

SA MAJESTÉ LE ROI DE SIAM,

M. le Docteur A. MANAUD, Conseiller sanitaire du Gouvernement royal;

SA MAJESTÉ LE ROI DE SUÈDE,

M. le Comte GYLDENSTOLPE, Son Envoyé extraordinaire et Ministre

Dr. C. Winkler, retired Medical Inspector of the Civil Health Service for Java and Madoura;

HIS MAJESTY THE SHAH OF PERSIA,

Samad Khan Momtazos Saltaneh, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC,

Dr. Antonio Augusto Gonçalves Braga, Sanitary Maritime Physician at Lisbon;

HIS MAJESTY THE KING OF RUMANIA,

Mr. Alexander Em. Lahovary, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

HIS MAJESTY THE EMPEROR OF ALL THE RUSSIAS,

Mr. Platon de Waxel, Privy Councilor, permanent member of the Council of the Ministry of Foreign Affairs and of the Board of Public Hygiene in the Imperial Ministry of the Interior;

Dr. Freyberg, Actual Counselor of State, Official of the Imperial Ministry of the Interior, Representative of the Commission created by Supreme Order against the propagation of the plague;

THE PRESIDENT OF THE REPUBLIC OF SALVADOR,

Dr. S. Letona, Consul General of the Republic of Salvador at Paris;

HIS MAJESTY THE KING OF SERVIA,

Dr. Milenko Vesnitch, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

HIS MAJESTY THE KING OF SIAM,

Dr. A. Manaud, Sanitary Counselor of the Royal Government;

HIS MAJESTY THE KING OF SWEDEN,

Count Gyldenstolpe, His Envoy Extraordinary and Minister Pleni-

plénipotentiaire près le Président de la République française;

**LE CONSEIL FÉDÉRAL SUISSE,**

M. Charles-Édouard LARDY, Envoyé extraordinaire et Ministre plénipotentiaire de la Confédération suisse près le Président de la République française;

**SA MAJESTÉ L'EMPEREUR DES OTTOMANS,**

MISSAK EFFENDI, Ministre plénipotentiaire;

**SON ALTESSE LE KHÉDIVE D'ÉGYPTÉ,**

YOUSSEUF PACHA SADDIK, Représentant du Gouvernement khédivial auprès de la Sublime Porte;

**ET LE PRÉSIDENT DE LA RÉPUBLIQUE ORIENTALE DE L'URUGUAY,**

M. le Docteur Luis PIERA, son Envoyé extraordinaire et Ministre plénipotentiaire près le Président de la République Française.

Lesquels, ayant échangé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes:

## TITRE I.

### DISPOSITIONS GÉNÉRALES.

#### CHAPITRE I.

**PRESCRIPTIONS À OBSERVER PAR LES PAYS SIGNATAIRES DE LA CONVENTION DÈS QUE LA PESTE, LE CHOLÉRA OU LA FIÈVRE JAUNE APPARAÎT SUR LEUR TERRITOIRE.**

**SECTION I.—NOTIFICATION ET COMMUNICATIONS ULTÉRIEURES AUX AUTRES PAYS.**

**ARTICLE PREMIER.**—Chaque Gouvernement doit notifier immédiatement aux autres Gouvernements le premier cas avéré de peste, de choléra ou de fièvre jaune constaté sur son territoire.

De même, le premier cas avéré de choléra, de peste ou de fièvre jaune survenant en dehors des circonscriptions déjà atteintes doit faire l'objet d'une notification immédiate aux autres Gouvernements.

potentiary to the President of the French Republic;

**THE SWISS FEDERAL COUNCIL,**

Mr. Charles Edouard Lardy, Envoy Extraordinary and Minister Plenipotentiary of the Swiss Confederation to the President of the French Republic;

**HIS MAJESTY THE EMPEROR OF THE OTTOMANS,**

Missak Effendi, Minister Plenipotentiary;

**HIS HIGHNESS THE KHE-DIVE OF EGYPT,**

Youssef Pacha Saddik, Representative of the Khedival Government before the Sublime Porte;

**AND THE PRESIDENT OF THE ORIENTAL REPUBLIC OF URUGUAY,**

Dr. Louis Piera, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic,

Who, having exchanged their full powers, found in good and due form, have agreed to the following provisions:

## TITLE I.

### GENERAL PROVISIONS.

#### CHAPTER I.

**RULES TO BE OBSERVED BY THE COUNTRIES SIGNING THE CONVENTION AS SOON AS PLAGUE, CHOLERA, OR YELLOW FEVER APPEARS IN THEIR TERRITORY.**

**Section I.—NOTIFICATION AND SUBSEQUENT COMMUNICATIONS TO THE OTHER COUNTRIES.**

**ART. 1.**—Each Government shall immediately notify the other Governments of the first authentic case of plague, cholera, or yellow fever discovered in its territory.

Likewise, the first authentic case of cholera, plague, or yellow fever occurring outside the districts already stricken shall constitute the object of an immediate notification to the other Governments.

Plenipotentiaries—Continued.

General provisions.

Rules to be observed when plague, etc., appears.

Notification to other governments.

Detailed information.

ART. 2.—Toute notification prévue à l'article premier est accompagnée ou très promptement suivie de renseignements circonstanciés sur:

- 1° l'endroit où la maladie est apparue;
- 2° la date de son apparition, son origine et sa forme;
- 3° le nombre des cas constatés et celui des décès;
- 4° l'étendue de la ou des circonscriptions atteintes;
- 5° pour la peste, l'existence parmi les rats de la peste ou d'une mortalité insolite;
- 6° pour la fièvre jaune, l'existence du *stegomya calopus*;
- 7° les mesures immédiatement prises.

Notice to diplomatic, etc., officers.

ART. 3.—La notification et les renseignements prévus aux articles 1 et 2 sont adressés aux agences diplomatiques ou consulaires dans la capitale du pays contaminé.

Pour les pays qui n'y sont pas représentés, ils sont transmis directement par télégraphe aux Gouvernements de ces pays.

Information as to progress of epidemic.

ART. 4.—La notification et les renseignements prévus aux articles 1 et 2 sont suivis de communications ultérieures données d'une façon régulière, de manière à tenir les Gouvernements au courant de la marche de l'épidémie.

Ces communications, qui se font au moins une fois par semaine et qui sont aussi complètes que possible, indiquent plus particulièrement les précautions prises en vue de combattre l'extension de la maladie.

Details.

Elles doivent préciser: 1° les mesures prophylactiques appliquées relativement à l'inspection sanitaire ou à la visite médicale, à l'isolement et à la désinfection; 2° les mesures exécutées au départ des navires pour empêcher l'exportation du mal et spécialement dans les cas prévus par le 5° et le 6° de l'article 2 ci-dessus, les mesures prises respectivement contre les rats ou contre les moustiques.

ART. 2.—Every notification as provided for in article 1 shall be accompanied or very promptly followed by particulars regarding:

- 1<sup>st</sup>. The neighborhood in which the disease has appeared;
- 2<sup>d</sup>. The date of its appearance, its origin, and its form;
- 3<sup>d</sup>. The number of established cases and the number of deaths;
- 4<sup>th</sup>. The extent of the area or areas affected;
- 5<sup>th</sup>. In the case of plague, the existence of plague or of an unusual mortality among rats;
- 6<sup>th</sup>. In the case of yellow fever, the existence of *Stegomya calopus*;
- 7<sup>th</sup>. The measures immediately taken.

ART. 3.—The notification and the information contemplated in articles 1 and 2 are to be addressed to the diplomatic or consular agencies in the capital of the contaminated country.

In the case of countries not represented there, they shall be transmitted directly by telegraph to the Governments of these countries.

ART. 4.—The notification and the information contemplated in articles 1 and 2 shall be followed by subsequent communications sent regularly, so as to keep the Governments informed as to the progress of the epidemic.

These communications, which shall be sent at least once a week and which shall be as complete as possible, shall state more particularly the precautions taken with a view to preventing the spread of the disease.

They shall specify: 1<sup>st</sup> The prophylactic measures applied in regard to sanitary or medical inspection, isolation, and disinfection; 2<sup>d</sup> the measures enforced upon the departure of ships in order to prevent the exportation of the disease and especially, in the cases contemplated under Nos. 5 and 6 of article 2 above, the measures taken respectively against rats and mosquitoes.

ART. 5.—Le prompt et sincère accomplissement des prescriptions qui précèdent est d'une importance primordiale.

Les notifications n'ont de valeur réelle que si chaque Gouvernement est prévenu lui-même, à temps, des cas de peste, de choléra, de fièvre jaune et des cas douteux survenus sur son territoire. On ne saurait donc trop recommander aux divers Gouvernements de rendre obligatoire la déclaration des cas de peste, de choléra et de fièvre jaune et de se tenir renseignés sur toute mortalité insolite des rats, notamment dans les ports.

ART. 6.—Il est désirable que les pays voisins fassent des arrangements spéciaux en vue d'organiser un service d'informations directes entre les chefs des administrations compétentes, en ce qui concerne les territoires limitrophes ou se trouvant en relations commerciales étroites.

**SECTION II.—CONDITIONS QUI PERMETTENT DE CONSIDÉRER UNE CIRCONSCRIPTION TERRITORIALE COMME CONTAMINÉE OU REDEVENUE SAINTE.**

ART. 7.—La notification d'un premier cas de peste, de choléra ou de fièvre jaune n'entraîne pas, contre la circonscription territoriale où il s'est produit, l'application des mesures prévues au chapitre II ci-après. Mais, lorsque plusieurs cas de peste ou de fièvre jaune non importés se sont manifestés ou que les cas de choléra forment foyer<sup>1</sup>, la circonscription peut être considérée comme contaminée.

ART. 8.—Pour restreindre les mesures aux seules régions atteintes, les Gouvernements ne doivent les appliquer qu'aux provenances des circonscriptions contaminées.

<sup>1</sup> Il existe un foyer quand l'apparition de cas de choléra au delà de l'entourage du ou des premiers cas prouve qu'on n'est pas parvenu à limiter l'expansion de la maladie là où elle s'était manifestée à son début.

ART. 5.—The prompt and faithful execution of the foregoing provisions is of prime importance.

Prompt notification recommended.

The notifications are of no real value unless each Government is itself opportunely informed of cases of plague, cholera, and yellow fever and of doubtful cases occurring in its territory. It can not therefore be too strongly recommended to the various Governments that they make compulsory the announcement of cases of plague, cholera, and yellow fever and that they keep themselves informed of any unusual mortality among rats, especially in ports.

ART. 6.—It is desirable that neighboring countries make special arrangements with a view to organizing a direct information service among the competent heads of departments in matters concerning contiguous territories or those which have close commercial relations.

Special arrangements.

**SECTION II.—CONDITIONS WHICH WARRANT CONSIDERING A TERRITORIAL AREA AS BEING CONTAMINATED OR AS HAVING BECOME HEALTHY AGAIN.**

ART. 7.—The notification of a single case of plague, cholera, or yellow fever shall not involve the application, against the territorial area in which it has occurred, of the measures prescribed in Chapter II hereinbelow.

Application of restrictions.

However, when several unimported cases of plague or yellow fever have appeared or when the cholera cases become localized,<sup>1</sup> the area may be considered contaminated.

Post, p. 13.

ART. 8.—In order to confine the measures to the stricken regions only, the Governments shall apply them only to arrivals from the contaminated areas.

Limiting restrictions, etc.

<sup>1</sup> There is localization when the appearance of cases of cholera beyond the immediate environments of the first case or cases proves that the spread of the disease has not been checked where it appeared first.

Meaning of "area."

On entend par le mot *circonscription* une partie de territoire bien déterminée dans les renseignements qui accompagnent ou suivent la notification, ainsi: une province, un gouvernement, un district, un département, un canton, une île, une commune, une ville, un quartier de ville, un village, un port, un polder, une agglomération, etc., quelles que soient l'étendue et la population de ces portions de territoire.

Preventing exportation of articles, etc.

Mais cette restriction limitée à la circonscription contaminée ne doit être acceptée qu'à la condition formelle que le Gouvernement du pays contaminé prenne les mesures nécessaires: 1<sup>o</sup> pour combattre l'extension de l'épidémie et 2<sup>o</sup>, s'il s'agit de peste ou de choléra, pour prévenir, à moins de désinfection préalable, l'exportation des objets visés aux 1<sup>o</sup> et 2<sup>o</sup> de l'article 13, provenant de la circonscription contaminée.

Post, p. 14.

Quand une circonscription est contaminée, aucune mesure restrictive n'est prise contre les provenances de cette circonscription, si ces provenances l'ont quittée cinq jours au moins avant le début de l'épidémie.

Areas no longer contaminated.

ART. 9.—Pour qu'une circonscription ne soit plus considérée comme contaminée il faut la constatation officielle:

1<sup>o</sup> qu'il n'y a eu ni décès, ni cas nouveau, en ce qui concerne la peste ou le choléra depuis cinq jours, en ce qui concerne la fièvre jaune depuis dix-huit jours, soit après l'isolement, soit après la mort ou la guérison du dernier malade;

2<sup>o</sup> que toutes les mesures de désinfection ont été appliquées; en outre, s'il s'agit de cas de peste, que les mesures contre les rats sont exécutées, et, s'il s'agit de fièvre jaune, que les précautions contre les moustiques ont été prises.

### SECTION III.—MESURES DANS LES PORTS CONTAMINÉS AU DÉPART DES NAVIRES.

Preventing affected persons from departing, etc.

ART. 10.—L'autorité compétente est tenue de prendre des mesures efficaces:

By the word *area* is meant a portion of territory definitely specified in the particulars which accompany or follow the notification; for instance, a province, a government, a district, a department, a canton, an island, a commune, a city, a quarter of a city, a village, a port, a polder, a hamlet, etc., whatever be the area and population of these portions of territory.

However, this restriction to the contaminated area shall only be accepted upon the formal condition that the Government of the contaminated country take the necessary measures: 1<sup>st</sup> To combat the spread of the epidemic and 2<sup>d</sup>, if it is a question of cholera, to prevent, unless previously disinfected, the exportation of the things mentioned under Nos. 1 and 2 of article 13 and coming from the contaminated area.

When an area is contaminated, no restrictive measures shall be taken against arrivals from such area if such arrivals have left it at least five days before the beginning of the epidemic.

ART. 9.—In order that an area may be considered as being no longer contaminated it must be officially stated:

1<sup>st</sup>. That there has neither been a death nor a new case, as regards the plague or cholera for five days, and as regards the yellow fever for eighteen days, either since the isolation or since the death or cure of the last patient;

2<sup>d</sup>. That all measures for disinfection have been applied; besides, if it is a case of plague, that the measures against rats have been executed, and, in case of yellow fever, that the precautions against mosquitos have been taken.

### SECTION III.—MEASURES IN CONTAMINATED PORTS UPON THE DEPARTURE OF VESSELS.

ART. 10.—The competent authority shall be obliged to take effective measures:

1° pour empêcher l'embarquement des personnes présentant des symptômes de peste, de choléra ou de fièvre jaune;

2° en cas de peste ou de choléra pour empêcher l'exportation des marchandises ou objets quelconques qu'elle considérerait comme contaminés et qui n'auraient pas été préalablement désinfectés à terre, sous la surveillance du médecin délégué de l'autorité publique;

3° en cas de peste, pour empêcher l'embarquement des rats;

4° en cas de choléra, pour veiller à ce que l'eau potable embarquée soit saine;

5° en cas de fièvre jaune, pour empêcher l'embarquement des moustiques.

1<sup>st</sup>. To prevent the embarkation of persons showing symptoms of plague, cholera, or yellow fever;

2<sup>d</sup>. In case of plague or cholera, to prevent the exportation of merchandise or any articles which he may consider contaminated and which have not been previously disinfected on land, under the supervision of the physician delegated by the public authority;

3<sup>d</sup>. In case of plague, to prevent the embarkation of rats;

4<sup>th</sup>. In case of cholera, to see that the drinking water taken on board is wholesome;

5<sup>th</sup>. In case of yellow fever, to prevent mosquitos from coming on board.

## CHAPITRE II.

### MESURES DE DÉFENSE CONTRE LES TERRITOIRES CONTAMINÉES.

#### SECTION I.—PUBLICATION DES MESURES PRESCRITES.

ART. 11.—Le Gouvernement de chaque pays est tenu de publier immédiatement les mesures qu'il croit devoir prescrire au sujet des provenances d'un pays ou d'une circonscription territoriale contaminée.

Il communique aussitôt cette publication à l'agent diplomatique ou consulaire du pays contaminé, résidant dans sa capitale, ainsi qu'aux Conseils sanitaires internationaux.

Il est également tenu de faire connaître, par les mêmes voies, le retrait de ces mesures ou les modifications dont elles seraient l'objet.

A défaut d'agence diplomatique ou consulaire dans la capitale, les communications sont faites directement au Gouvernement du pays intéressé.

#### SECTION II.—MARCHANDISES.—DÉSINFECTION.—IMPORTATION ET TRANSIT.—BAGAGES.

ART. 12.—Il n'existe pas de marchandises qui soient par elles-mêmes capables de transmettre

## CHAPTER II.

### *Measures of defense against contaminated territories.* Defense against contaminated countries.

#### SECTION I.—PUBLICATION OF THE PRESCRIBED MEASURES.

ART. 11.—The Government of each country shall be obliged to immediately publish the measures which it believes necessary to prescribe with regard to arrivals from a contaminated country or territorial area.

It shall at once communicate this publication to the diplomatic or consular officer of the contaminated country residing in its capital, as well as to the international boards of health.

It shall likewise be obliged to make known, through the same channels, the revocation of these measures or any modifications which may be made therein.

In default of a diplomatic or consular office in the capital, the communications shall be made directly to the Government of the country concerned.

#### SECTION II.—MERCHANDISE.—DISINFECTION.—IMPORTATION AND TRANSIT.—BAGGAGE.

ART. 12.—No merchandise is capable by itself of transmitting plague, cholera, or yellow fever. Contaminated merchandise.



la peste, le choléra ou la fièvre jaune. Elles ne deviennent dangereuses qu'au cas où elles ont été souillées par des produits pesteux ou cholériques.

Disinfecting contaminated articles.

ART. 13.—La désinfection ne peut être appliquée qu'en cas de peste ou de choléra et seulement aux marchandises et objets que l'autorité sanitaire locale considère comme contaminés.

Compulsory disinfection, etc.

Toutefois, en cas de peste ou de choléra, les marchandises ou objets énumérés ci-après peuvent être soumis à la désinfection ou même prohibés à l'entrée, indépendamment de toute constatation qu'ils seraient ou non contaminés:

Body linen, etc.

1° Les linges de corps, hardes et vêtements portés (effets à usage), les literies ayant servi.

Lorsque ces objets sont transportés comme bagages ou à la suite d'un changement de domicile (objets d'installation), ils ne peuvent être prohibés et sont soumis au régime de l'article 20.

Post, p. 16.

Les paquets laissés par les soldats et les matelots et renvoyés dans leur patrie après décès sont assimilés aux objets compris dans le premier alinéa du 1°.

Rags, etc.

2° Les chiffons et drilles, à l'exception, quant au choléra, des chiffons comprimés qui sont transportés comme marchandises en gros par ballots cerclés.

Articles excepted.

Ne peuvent être interdits les déchets neufs provenant directement d'ateliers de filature, de tissage, de confection ou de blanchiment; les laines artificielles (Kunstwolle, Shoddy) et les rognures de papier neuf.

Merchandise in transit, etc.

ART. 14.—Il n'y a pas lieu d'interdire le transit des marchandises et objets spécifiés aux 1° et 2° de l'article qui précède, s'ils sont emballés de telle sorte qu'ils ne puissent être manipulés en route.

De même, lorsque les marchandises ou objets sont transportés de telle façon qu'en cours de route ils n'aient pu être en contact avec les objets souillés, leur transit à travers une circonscription territoriale contaminée ne doit pas être un obstacle à leur entrée dans le pays de destination.

It only becomes dangerous when contaminated by plague or cholera products.

ART. 13.—Disinfection shall be applied only in case of plague or cholera and only to merchandise and articles which the local health authority considers contaminated.

However, in case of plague or cholera, the merchandise and articles enumerated below may be subjected to disinfection or even prohibited entry, independently of any proof that they are or are not contaminated:

1<sup>st</sup>. Body linen, clothing worn (wearing apparel), and bedding which has been used.

When these articles are being transported as baggage or as a result of a change of residence (household goods), they shall not be prohibited and are subject to the provisions of article 20.

Packages left by soldiers and sailors and returned to their country after death are treated the same as the articles comprised in the first paragraph of No. 1.

2<sup>d</sup>. Rags (including those for making paper), with the exception, as to cholera, of compressed rags transported as wholesale merchandise in hooped bales.

Fresh waste coming directly from spinning mills, weaving mills, manufactories, or bleacheries; artificial wools (shoddy), and fresh paper trimmings shall not be forbidden.

ART. 14.—The transit of the merchandise and articles specified under Nos. 1 and 2 of the preceding article shall not be prohibited if they are so packed that they can not be manipulated en route.

Likewise, when the merchandise or articles are transported in such a manner that it is impossible for them to have been in contact with contaminated articles en route, their transit across an infected territorial area shall not constitute an obstacle to their entry into the country of destination.

ART. 15.—Les marchandises et objets spécifiés aux 1° et 2° de l'article 13 ne tombent pas sous l'application des mesures de prohibition à l'entrée, s'il est démontré à l'autorité du pays de destination qu'ils ont été expédiés cinq jours au moins avant le début de l'épidémie.

ART. 16.—Le mode et l'endroit de la désinfection ainsi que les procédés à employer pour assurer la destruction des rats, des insectes et des moustiques sont fixés par l'autorité du pays de destination. Ces opérations doivent être faites de manière à ne détériorer les objets que le moins possible. Les hardes, vieux chiffons, pansements infectés, papiers et autres objets de peu de valeur peuvent être détruits par le feu.

Il appartient à chaque État de régler la question relative au paiement éventuel des dommages-intérêts résultant de la désinfection ainsi que de la destruction des objets ci-dessus visés et de celle des rats, des insectes et des moustiques.

Si, à l'occasion des mesures prises pour la destruction des rats, des insectes et des moustiques à bord des navires, des taxes sont perçues par l'autorité sanitaire, soit directement, soit par l'intermédiaire d'une société ou d'un particulier, le taux de ces taxes doit être fixé par un tarif publié d'avance et établi de façon à ce qu'il ne puisse résulter de l'ensemble de son application une source de bénéfices pour l'État ou pour l'Administration sanitaire.

ART. 17.—Les lettres et correspondances, imprimés, livres, journaux, papiers d'affaires, etc. (non compris les colis postaux), ne sont soumis à aucune restriction ni désinfection.

En cas de fièvre jaune, les colis postaux ne sont soumis à aucune restriction ni désinfection.

ART. 18.—Les marchandises, arrivant par terre ou par mer, ne peuvent être retenues aux frontières ou dans les ports.

Les seules mesures qu'il soit permis de prescrire à leur égard

ARTICLE 15.—The merchandise and articles specified under Nos. 1 and 2 of article 13 shall not be subject to the application of the measures prohibiting entry if it is proven to the authorities of the country that they were shipped at least five days before the beginning of the epidemic.

Shipments five days before epidemic began.

ARTICLE 16.—The mode and place of disinfection, as well as the methods to be employed for the destruction of rats, insects, and mosquitoes, shall be determined by the authorities of the country of destination. These operations should be performed in such a manner as to cause the least possible injury to the articles. Clothing, old rags, infected materials for dressing wounds, papers, and other articles of little value may be destroyed by fire.

Mode of disinfection, etc.

It shall devolve upon each Nation to determine the question as to the possible payment of damages as a result of the disinfection and destruction of the articles mentioned above and of the destruction of rats, insects, and mosquitoes.

Payment of damages.

If, on the occasion of the taking of measures for the destruction of rats, insects, and mosquitoes on board vessels, the health authorities should levy a tax either directly or through a society or private individual, the rate of such tax must be fixed by a tariff published in advance and so calculated that no profit shall be derived by the Nation or the Health Department from its application as a whole.

Destruction of rats, etc., on vessels.

ART. 17.—Letters and correspondence, printed matter, books, newspapers, business papers, etc. (postal parcels not included) shall not be subjected to any restriction or disinfection.

Letters, etc., exempt from disinfection, etc.

In case of yellow fever, postal parcels shall not be subjected to any restriction or disinfection.

Postal parcels.

ART. 18.—Merchandise, arriving by land or sea, shall not be detained at frontiers or in ports.

No detention at frontiers.

The only measures which it is permissible to prescribe in regard

Measures permissible.

|   |   |   |
|---|---|---|
|   | sont spécifiées dans les articles 13 et 16 ci-dessus.   | to them are specified in articles 13 and 16 above.  |
| Warehousing of contaminated goods.          | Toutefois, si des marchandises arrivant par mer en vrac ou dans des emballages défectueux, ont été, pendant la traversée, contaminées par des rats reconnus pesteux et si elles ne peuvent être désinfectées, la destruction des germes peut être assurée par leur mise en dépôt pendant une durée maxima de deux semaines.   | However, if merchandise arriving by sea in bulk or in defective bails has been contaminated during the passage by rats known to be stricken with plague, and if it can not be disinfected, the destruction of the germs may be insured by storing it in a warehouse for a maximum period of two weeks.  |
|   | Il est entendu que l'application de cette dernière mesure ne doit entraîner aucun délai pour le navire ni des frais extraordinaires résultant du défaut d'entrepôts dans les ports.   | It is understood that the application of this last measure shall not entail any delay upon the vessel or any extra expense as a result of the lack of warehouses in the ports.  |
| Certificate from health authorities.        | ART. 19.—Lorsque des marchandises ont été désinfectées, par application des prescriptions de l'article 13, ou mises en dépôt temporaire, en vertu du 3 <sup>e</sup> alinéa de l'article 18, le propriétaire ou son représentant a le droit de réclamer de l'autorité sanitaire qui a ordonné la désinfection ou le dépôt, un certificat indiquant les mesures prises. | ART. 19.—When merchandise has been disinfected by applying the provisions of article 13, or temporarily warehoused in accordance with the third paragraph of article 18, the owner or his representative shall be entitled to demand from the health authority who has ordered the disinfection or storage, a certificate setting forth the measures taken. |
| Disinfection of soiled linen, baggage, etc. | ART. 20.—La désinfection du linge sale, des hardes, vêtements et objets qui font partie de bagages ou de mobiliers (objets d'installation) provenant d'une circonscription territoriale contaminée n'est effectuée qu'en cas de peste ou de choléra et seulement lorsque l'autorité sanitaire les considère comme contaminés.   | ART. 20. Soiled linen, clothing, and articles constituting part of baggage or furniture (household goods) coming from a contaminated territorial area shall only be disinfected in case of plague or cholera and only when the health authority considers them contaminated.  |
| Port measures.                              | SECTION III.—MESURES DANS LES PORTS ET AUX FRONTIÈRES DE MER.   | SECTION III.—MEASURES IN PORTS AND AT MARITIME FRONTIERS.   |
| Vessels classified.                         | A.— <i>Classification des navires.</i>  | A.— <i>Classification of vessels.</i>   |
| Infected vessels.                           | ART. 21.—Est considéré comme infecté le navire qui a la peste, le choléra ou la fièvre jaune à bord ou qui a présenté un ou plusieurs cas de peste, de choléra ou de fièvre jaune depuis sept jours.  | ART. 21.—A vessel is considered as infected which has plague, cholera, or yellow fever on board, or which has presented one or more cases of plague, cholera, or yellow fever within seven days.  |
| Suspects.                                   | Est considéré comme suspect le navire à bord duquel il y a eu des cas de peste, de choléra ou de fièvre jaune au moment du départ ou pendant la traversée, mais aucun cas nouveau depuis sept jours.  | A vessel is considered as suspicious on board of which there were cases of plague, cholera, or yellow fever at the time of departure or have been during the voyage, but on which there have been no new cases within seven days.   |

Est considéré comme *indemne*, bien que venant d'un port contaminé, le navire qui n'a eu ni cas de peste, de choléra ou de fièvre jaune à bord, soit avant le départ, soit pendant la traversée, soit au moment de l'arrivée.

A vessel is considered as *uninfected* which, although coming from an infected port, has had neither death nor any case of plague, cholera, or yellow fever on board either before departure, during the voyage, or at the time of arrival.

Nonsuspects.

#### B.—Mesures concernant la peste.

ART. 22.—Les navires infectés de peste sont soumis au régime suivant:

- 1° visite médicale;
- 2° les malades sont immédiatement débarqués et isolés;
- 3° les personnes qui ont été en contact avec les malades et celles que l'autorité sanitaire du port a des raisons de considérer comme suspectes sont débarquées si possible. Elles peuvent être soumises soit à l'observation<sup>(1)</sup>, soit à la surveillance<sup>(2)</sup>, soit à une observation suivie de surveillance, sans que la durée totale de ces mesures puisse dépasser cinq jours, à dater de l'arrivée.

Il appartient à l'autorité sanitaire du port d'appliquer celle de ces mesures qui lui paraît préférable selon la date du dernier cas, l'état du navire et les possibilités locales;

4° le linge sale, les effets à usage et les objets de l'équipage<sup>(3)</sup> et des passagers qui, de l'avis de l'autorité sanitaire, sont considérés comme contaminés sont désinfectés;

5° les parties du navire qui ont été habitées par des pestueux ou qui, de l'avis de l'autorité sanitaire, sont considérées comme contaminées doivent être désinfectées;

6° la destruction des rats du navire doit être effectuée avant ou après le déchargement de la

#### B.—Measures concerning plague.

ART. 22.—Ships infected with plague shall be subjected to the following measures:

- 1<sup>st</sup>. Medical inspection.
- 2<sup>d</sup>. The patients shall be immediately landed and isolated.
- 3<sup>d</sup>. All persons who have been in contact with the patients and those whom the health authority of the port has reason to consider suspicious shall be landed if possible. They may be subjected either to observation,<sup>1</sup> or to surveillance,<sup>2</sup> or to observation followed by surveillance, and the total duration of these measures shall not exceed five days from the date of arrival.

It is within the discretion of the health authority of the port to apply whichever of these measures appears preferable to him according to the date of the last case, the condition of the vessel, and the local possibilities.

4<sup>th</sup>. The soiled linen, wearing apparel, and other articles of the crew<sup>3</sup> and passengers which are considered by the health authority as being contaminated shall be disinfected.

5<sup>th</sup>. The parts of the vessel which have been occupied by persons stricken with plague or which are considered by the health authority as being contaminated shall be disinfected.

6<sup>th</sup>. The destruction of the rats on the vessel shall take place before or after the discharge of

Measures as to plague.

Restrictions for plague-infected ships.

Disinfecting soiled linen, etc.

Rat destruction.

<sup>1</sup> Le mot "observation" signifie: isolement des voyageurs soit à bord d'un navire, soit dans une station sanitaire, avant qu'ils n'obtiennent la libre pratique.

<sup>2</sup> Le mot "surveillance" signifie que les voyageurs ne sont pas isolés, qu'ils obtiennent tout de suite la libre pratique, mais sont signalés à l'autorité dans les diverses localités où ils se rendent et soumis à un examen médical constatant leur état de santé.

<sup>3</sup> Le mot "équipage" s'applique aux personnes qui font ou ont fait partie de l'équipage ou du personnel de service du bord, y compris les maîtres d'hôtel, garçons, caledji, etc. C'est dans ce sens qu'il faut comprendre ce mot chaque fois qu'il est employé dans la présente Convention.

<sup>1</sup> By "observation" is meant the isolation of the passengers, either on board a vessel or at a sanitary station, before they are granted pratique.

<sup>2</sup> By "surveillance" is meant that the passengers are not isolated and that they immediately obtain pratique, but that the attention of the authorities is called to them wherever they go and that they are subjected to a medical examination to ascertain the state of their health.

<sup>3</sup> The term "crew" is applied to all persons who form or have formed part of the crew or of the servants on board the vessel, including stewards, waiters, "caledji," etc. The term is to be construed in this sense wherever employed in the present Convention.

cargaison, en évitant autant que possible de détériorer les marchandises, les tôles et les machines. L'opération doit être faite le plus tôt et le plus rapidement possible et, en tout cas, ne doit pas durer plus de quarante-huit heures.

Pour les navires sur lest, cette opération doit se faire le plus tôt possible avant le chargement.

Vessels suspected of plague.

ART. 23.—Les navires *suspects de peste* sont soumis aux mesures qui sont indiquées sous les numéros 1, 4, 5 et 6 de l'article 22.

En outre, l'équipage et les passagers peuvent être soumis à une surveillance qui ne dépassera pas cinq jours à dater de l'arrivée du navire. On peut, pendant le même temps, empêcher le débarquement de l'équipage, sauf pour raisons de service.

Inspection, etc., of uninfected ships.

ART. 24.—Les navires *indemnes de peste* sont admis à la libre pratique immédiate, quelle que soit la nature de leur patente.

Le seul régime que peut prescrire à leur sujet l'autorité du port d'arrivée consiste dans les mesures suivantes:

1° visite médicale;

2° désinfection du linge sale, des effets à usage et des autres objets de l'équipage et des passagers, mais seulement dans les cas exceptionnels, lorsque l'autorité sanitaire a des raisons spéciales de croire à leur contamination;

Rat destruction.

3° sans que la mesure puisse être érigée en règle générale, l'autorité sanitaire peut soumettre les navires venant d'un port contaminé à une opération destinée à détruire les rats à bord, avant ou après le déchargement de la cargaison. Cette opération doit être faite le plus tôt et le plus rapidement possible et, en tout cas, ne doit pas durer plus de vingt-quatre heures en évitant d'entraver la circulation des passagers et de l'équipage entre le navire et la terre ferme et, autant que possible, de détériorer les marchandises, les tôles et les machines. Pour les navires sur lest, il sera procédé, s'il y a lieu, à cette opération le plus tôt et le plus rapidement possible et, en tout cas, avant le chargement.

the cargo, avoiding injury to the cargo, the platings, and the engines as far as possible. The operation shall be performed as soon and as quickly as possible, and shall not in any event last over forty-eight hours.

In the case of vessels in ballast, this operation shall be performed as soon as possible before taking on cargo.

ART. 23.—Vessels suspected of plague shall be subjected to the measures indicated under Nos. 1, 4, 5, and 6 of article 22.

Moreover, the crew and passengers may be subjected to a surveillance not to exceed five days from the arrival of the vessel. The landing of the crew may be forbidden during the same period except in connection with the service.

ART. 24.—Vessels *uninfected with plague* shall be granted pratique immediately, whatever be the nature of their bill of health.

The only measures which the authority of the port of arrival may prescribe with regard to them shall be the following:

1. Medical inspection.

2. Disinfection of the soiled linen, wearing apparel, and other articles of the crew and passengers, but only in exceptional cases when the health authority has special reason to believe that they are contaminated.

3. Although the measure should not be laid down as a general rule, the health authority may subject vessels coming from a contaminated port to an operation designed to destroy the rats on board, either before or after the discharge of the cargo. This operation should take place as soon and as quickly as possible and should not in any event last more than twenty-four hours, avoiding hindrance to the movement of the passengers and crew between the vessel and the shore and, as far as possible, injury to the cargo, plating, and engines. As for vessels in ballast, that operation will, if there be occasion, be performed as soon and as quickly as possible, and at all events before taking on cargo.

L'équipage et les passagers peuvent être soumis à une surveillance qui ne dépassera pas cinq jours à compter de la date où le navire est parti du port contaminé. On peut également, pendant le même temps, empêcher le débarquement de l'équipage, sauf pour raisons de service.

L'autorité compétente du port d'arrivée peut toujours réclamer sous serment un certificat du médecin du bord, ou, à son défaut, du capitaine, attestant qu'il n'y a pas eu de cas de peste sur le navire depuis le départ et qu'une mortalité insolite des rats n'a pas été constatée.

ART. 25.—Lorsque, sur un navire indemne, des rats ont été reconnus pesteux après examen bactériologique, ou bien quel'on constate parmi ces rongeurs une mortalité insolite, il y a lieu de faire application des mesures suivantes:

#### I. Navires avec rats pesteux:

a) visite médicale;  
b) les rats doivent être détruits, avant ou après le déchargement de la cargaison, en évitant autant que possible de détériorer les marchandises, les tôles et les machines. L'opération doit être faite le plus tôt et le plus rapidement possible et, en tout cas, ne pas durer plus de quarante-huit heures. Les navires sur lest subissent cette opération le plus tôt et le plus rapidement possible et, en tout cas, avant le chargement;

c) les parties du navire et les objets que l'autorité sanitaire locale juge être contaminés sont désinfectés;

d) les passagers et l'équipage peuvent être soumis à une surveillance dont la durée ne doit pas dépasser cinq jours comptés à partir de la date d'arrivée.

II. Navires où est constatée une mortalité insolite des rats:

a) visite médicale;  
b) l'examen des rats au point de vue de la peste sera fait autant et aussi vite que possible;

The crew and passengers may be subjected to a surveillance not to exceed five days from the date on which the vessel left the contaminated port. The landing of the crew may also be forbidden during the same time except in connection with the service.

Surveillance of crew, etc.

The competent authority of the port of arrival may always demand an affidavit from the ship's physician, or in default of such physician, from the captain, to the effect that there has not been a case of plague on the vessel since its departure and that no unusual mortality among the rats has been observed.

Clean bill of health required.

ART. 25.—When rats have been recognized as plague-stricken on board an *uninfected* vessel as a result of a bacteriological examination, or when an unusual mortality has been discovered among these rodents, the following measures shall be applied:

Rats on uninfected ships.

I. Vessels with plague-stricken rats:

Vessels with plague-stricken rats.

a) Medical inspection.  
b) The rats shall be destroyed either before or after the discharge of the cargo, avoiding injury, as far as possible, to the cargo, plating, and engines. This operation should take place as soon and as quickly as possible, in no case lasting more than forty-eight hours. On vessels in ballast this operation shall be performed as soon and as quickly as possible and at all events before taking on cargo.

c) The parts of the vessel and the articles which the health authority considers to be contaminated shall be disinfected.

d) The passengers and crew may be subjected to a surveillance whose duration shall not exceed five days from the date of arrival.

II. Vessels on which an unusual mortality among rats is discovered:

Unusual mortality among rats.

a) Medical inspection.  
b) An examination of the rats with regard to the plague shall be made as far and as quickly as possible.

c) si la destruction des rats est jugée nécessaire, elle aura lieu dans les conditions indiquées ci-dessus relativement aux navires avec rats pesteux;

d) jusqu'à ce que tout soupçon soit écarté, les passagers et l'équipage peuvent être soumis à une surveillance dont la durée ne dépassera pas cinq jours comptés à partir de la date d'arrivée.

Periodical riddance  
of rats recommended.

ART. 26.—Il est recommandé que les navires soient soumis à la dératisation périodique pratiquée au moins une fois tous les six mois. L'autorité sanitaire du port, où la dératisation a été effectuée, délivre au capitaine, à l'armateur ou à son agent, toutes les fois que la demande en est faite, un certificat constatant la date de l'opération, le port où elle a été faite et la technique employée.

Il est recommandé que les autorités sanitaires des ports, où touchent les navires qui pratiquent la dératisation périodique, tiennent compte des certificats susvisés, dans l'appréciation des mesures à prendre, notamment en ce qui concerne les prescriptions du n° 3 du 2° alinéa de l'article 24.

Measures as to  
cholera.

Restrictions for  
cholera-infected ships.

C.—*Mesures concernant le choléra.*

ART. 27.—Les navires infectés de choléra sont soumis au régime suivant:

- 1° visite médicale;
- 2° les malades sont immédiatement débarqués et isolés;
- 3° les autres personnes peuvent être également débarquées et soumises, à dater de l'arrivée du navire, à une observation ou à une surveillance dont la durée variera, selon l'état sanitaire du navire et selon la date du dernier cas, sans pouvoir dépasser cinq jours; à la condition que ce délai ne soit pas dépassé, l'autorité sanitaire peut procéder à l'examen bactériologique dans la mesure nécessaire;

Disinfecting soiled  
linen, etc.

4° le linge sale, les effets à usage et les objets de l'équipage et des passagers qui, de l'avis de l'autorité sanitaire du port, sont considérés comme contaminés sont désinfectés;

c) If the destruction of the rats is deemed necessary, it shall take place under the conditions indicated above for vessels with plague-stricken rats.

d) Until all suspicion is removed, the passengers and crew may be subjected to a surveillance whose duration shall not exceed five days from the date of arrival.

ART. 26. It is recommended that vessels be periodically rid of their rats, the operation to take place at least once every six months. The health officer of the port in which the rat ridding operation is performed shall deliver to the captain, owner, or agent, whenever request is made therefor, a certificate showing the date of the operation, the port where it was performed, and the method employed.

It is recommended that the health authorities of ports at which vessels stop which practice periodical rat ridding keep account of the aforementioned certificates in determining the measures to be taken, especially as regards the provisions of No. 3 of the 2d paragraph of article 24.

C. *Measures concerning cholera.*

ART. 27.—Vessels infected with cholera shall be subjected to the following measures:

- 1<sup>st</sup>. Medical inspection.
- 2<sup>d</sup>. The patients shall be immediately landed and isolated.
- 3<sup>d</sup>. The other persons shall likewise be landed and subjected, from the date of arrival of the vessel, to an observation or a surveillance whose duration shall vary according to the sanitary condition of the vessel and the date of the last case, without, however, exceeding five days; provided this period is not exceeded, the medical authority may proceed to make a bacteriological examination as far as necessary.

4<sup>th</sup>. The soiled linen, wearing apparel, and other articles of the crew and passengers which are considered by the health authority of the port as being contaminated shall be disinfected.

5° les parties du navire qui ont été habitées par les malades atteints de choléra ou qui sont considérées par l'autorité sanitaire comme contaminées sont désinfectées;

6° lorsque l'eau potable emmagasinée à bord est considérée comme suspecte, elle est déversée après désinfection et remplacée, s'il y a lieu, par une eau de bonne qualité.

L'autorité sanitaire peut interdire le déversement dans les ports de l'eau de lest (water-ballast) si elle a été puisée dans un port contaminé, à moins qu'elle n'ait été préalablement désinfectée.

Il peut être interdit de laisser s'écouler ou de jeter dans les eaux du port des déjections humaines ainsi que les eaux résiduaires du navire, à moins de désinfection préalable.

ART. 28.—Les navires *suspects de choléra* sont soumis aux mesures qui sont prescrites sous les numéros 1, 4, 5 et 6 de l'article 27.

L'équipage et les passagers peuvent être soumis à une surveillance qui ne doit pas dépasser cinq jours à dater de l'arrivée du navire. Il est recommandé d'empêcher, pendant le même temps, le débarquement de l'équipage, sauf pour raisons de service.

À la condition que les mesures prévues dans l'alinéa précédent ne soient pas aggravées, l'autorité sanitaire peut procéder à l'examen bactériologique dans la mesure nécessaire.

L'autorité sanitaire peut interdire le déversement, dans les ports, de l'eau de lest (water-ballast) si elle a été puisée dans un port contaminé, à moins qu'elle n'ait été préalablement désinfectée.

ART. 29.—Les navires *indemnes de choléra* sont admis à la libre pratique immédiate, quelle que soit la nature de leur patente.

Le seul régime que puisse prescrire à leur sujet l'autorité du port d'arrivée consiste dans les mesures prévues aux numéros 1, 4 et 6 de l'article 27.

L'autorité sanitaire peut interdire le déversement dans les ports de l'eau de lest (water-bal-

5<sup>th</sup>. The parts of the vessel which have been occupied by cholera patients or which are considered by the health authority as being contaminated shall be disinfected.

6<sup>th</sup>. When the drinking water stored on board is considered suspicious, it shall be turned off, after being disinfected, and replaced if necessary by water of good quality.

The health authority may prohibit turning water ballast off in ports if it has been taken on in a contaminated port, unless it has been previously disinfected.

It may be forbidden to let run or throw human dejections or the residuary waters of the vessel into the waters of the port, unless they are first disinfected.

ART. 28.—Vessels *suspected of cholera* shall be subjected to the measures prescribed under Nos. 1, 4, 5, and 6 of article 27.

The crew and passengers may be subjected to a surveillance not to exceed five days from the arrival of the vessel. It is recommended that the landing of the crew be prevented during the same period except for purposes connected with the service.

On condition that the measures provided by the foregoing paragraph are not aggravated, the health authorities may cause the bacteriological examination to be made in so far as it may be necessary.

The health authorities may prohibit turning water ballast off in ports if it has been taken on in a contaminated port, unless it has been previously disinfected.

ART. 29.—Vessels *uninfected with cholera* shall be granted pratique immediately, whatever be the nature of their bill of health.

The only measures to which they may be subjected by the health authority of the port of arrival shall be those provided under Nos. 1, 4, and 6 of article 27.

The health authority may forbid letting water ballast off in ports if it has been taken on in a contami-

Water disinfection, etc.

Vessels suspected of cholera.

Uninfected ships.



last) si elle a été puisée dans un port contaminé, à moins qu'elle n'ait été préalablement désinfectée.

L'équipage et les passagers peuvent être soumis, au point de vue de leur état de santé, à une surveillance qui ne doit pas dépasser cinq jours à compter de la date où le navire est parti du port contaminé.

Il est recommandé d'empêcher, pendant le même temps, le débarquement de l'équipage, sauf pour raisons de service.

Clean bill of health required.

L'autorité compétente du port d'arrivée peut toujours réclamer sous serment un certificat du médecin du bord ou, à son défaut, du capitaine, attestant qu'il n'y a pas eu de cas de choléra sur le navire depuis le départ.

Measures as to yellow fever.

D.—*Mesures concernant la fièvre jaune.*

Restrictions on ships infected with yellow fever.

ART. 30.—Les navires infectés de fièvre jaune sont soumis au régime suivant:

1° visite médicale;

2° les malades sont débarqués dans des conditions les mettant à l'abri des piqûres des moustiques, et dûment isolés;

3° les autres personnes peuvent être également débarquées et soumises, à dater de l'arrivée, à une observation ou surveillance qui ne dépassera pas six jours;

4° les navires doivent mouiller, autant que possible, à 200 mètres de la côte;

Mosquito extermination.

5° si possible, il est procédé à bord à l'extermination des moustiques, avant le déchargement des marchandises. Si cela n'est pas possible, on prendra toutes les mesures nécessaires afin d'éviter que le personnel employé au déchargement ne soit infecté. Ce personnel est soumis à une surveillance qui ne peut pas dépasser six jours, à dater du moment où il a cessé de travailler à bord.

Suspected ships.

ART. 31.—Les navires suspects de fièvre jaune sont soumis aux mesures qui sont indiquées sous les numéros 1, 4 et 5 de l'article précédent.

nated port, unless it has been previously disinfected.

With regard to the state of their health, the crew and passengers may be subjected to a surveillance not to exceed five days from the date on which the vessel left the contaminated port.

It is recommended that the landing of the crew be forbidden during the same period except for purposes connected with the service.

The competent authority of the port of arrival may always demand an affidavit from the ship's physician or, in the absence of such, from the captain, to the effect that there has not been a case of cholera on board since the vessel sailed.

D. *Measures concerning the yellow fever.*

ART. 30.—Vessels infected with yellow fever shall be subjected to the following measures:

1<sup>st</sup>. Medical inspection.

2<sup>d</sup>. The patients shall be landed under such conditions that they will be protected from mosquito bites, and duly isolated.

3<sup>d</sup>. The other persons may likewise be landed and subjected, from the date of arrival, to an observation or surveillance not exceeding six days.

4<sup>th</sup>. Vessels shall anchor, as far as possible, at a distance of 200 meters from the shore.

5<sup>th</sup>. If possible, the mosquitos on board shall be exterminated before the cargo is discharged. If this is impossible, all necessary measures shall be taken in order that the persons employed in discharging the cargo may not be infected. These persons shall be subjected to a surveillance not to exceed six days from the time they cease to work on board.

ART. 31.—Vessels suspected of yellow fever shall be subjected to the measures indicated under Nos. 1, 4, and 5 of the preceding article.

En outre, l'équipage et les passagers peuvent être soumis à une surveillance qui ne dépassera pas six jours à dater de l'arrivée du navire.

ART. 32.—Les navires *indemnes de fièvre jaune* sont admis à la libre pratique immédiate, après la visite médicale, quelle que soit la nature de leur patente.

ART. 33.—Les mesures prévues dans les articles 30 et 31 ne concernent que les pays où il existe des *stegomya*. Dans les autres pays, elles sont appliquées dans la mesure jugée nécessaire par l'autorité sanitaire.

E.—*Dispositions communes aux trois maladies.*

ART. 34.—L'autorité compétente tiendra compte, pour l'application des mesures indiquées dans les articles 22 à 33, de la présence d'un médecin et d'appareils de désinfection (étuves) à bord des navires des trois catégories susmentionnées.

En ce qui concerne la peste, elle aura égard également à l'installation à bord d'appareils de destruction des rats.

Les autorités sanitaires des Etats auxquels il conviendrait de s'entendre sur ce point pourront dispenser de la visite médicale et d'autres mesures les navires indemnes qui auraient à bord un médecin spécialement commissionné par leur pays.

ART. 35.—Des mesures spéciales, notamment, pour ce qui concerne le choléra, l'examen bactériologique, peuvent être prescrites à l'égard de tout navire offrant de mauvaises conditions d'hygiène ou des navires encombrés.

ART. 36.—Tout navire qui ne veut pas se soumettre aux obligations imposées par l'autorité du port en vertu des stipulations de la présente Convention est libre de reprendre la mer.

Moreover, the crew and passengers may be subjected to a surveillance not to exceed six days from the date of arrival of the vessel.

ART. 32.—Vessels *uninfected with yellow fever* shall be granted pratique immediately after medical inspection, whatever be the nature of their bill of health.

ART. 33.—The measures contemplated in articles 30 and 31 do not concern the countries in which *stegomya* exist. In other countries they shall be applied to the extent deemed necessary by the medical authorities.

E. *Provisions common to all three diseases.*

ART. 34.—In applying the measures set forth in articles 22 to 33, the competent authority shall take into account the presence of a physician and of disinfecting apparatuses (chambers) on board the vessels of the three categories mentioned above.

In regard to plague, he shall likewise take into account the installation on board of apparatus for the destruction of rats.

The health authorities of nations which may deem it suitable to reach an understanding on this point may excuse from the medical inspection and other measures those uninfected vessels which have on board a physician specially commissioned by their country.

ART. 35.—Special measures, especially (as regards cholera) a bacteriological examination, may be prescribed in regard to any vessel in a bad hygienic condition or crowded.

ART. 36. Any vessel not desiring to submit to the obligations imposed by the port authority in pursuance of the stipulations of the present convention, shall be free to put to sea again.

Uninfected ships.

Countries exempt.

General provisions.

Application of restrictive measures.

Special measures for unhygienic, etc., ships.

Vessels free to put to sea.

May land cargoes.

Il peut être autorisé à débarquer ses marchandises après que les précautions nécessaires auront été prises, à savoir:

Restrictions.

1° isolement du navire, de l'équipage et des passagers;

2° en ce qui concerne la peste, demande de renseignements relatifs à l'existence d'une mortalité insolite parmi les rats;

3° en ce qui concerne le choléra, remplacement, par une eau de bonne qualité, de l'eau potable emmagasinée à bord, lorsque celle-ci est considérée comme suspecte.

Passengers.

Il peut également être autorisé à débarquer les passagers qui en font la demande, à la condition que ceux-ci se soumettent aux mesures prescrites par l'autorité locale.

Disinfected ships  
from contaminated  
ports.

ART. 37.—Les navires d'une provenance contaminée qui ont été l'objet de mesures sanitaires appliquées, d'une façon suffisante, dans un port appartenant à l'un des pays contractants ne subiront pas une seconde fois ces mesures à leur arrivée dans un port nouveau, que celui-ci appartienne ou non au même pays, à la condition qu'il ne se soit produit depuis lors aucun incident entraînant l'application des mesures sanitaires prévues ci-dessus et qu'ils n'aient pas fait escale dans un port contaminé.

N'est pas considéré comme ayant fait escale dans un port le navire qui, sans avoir été en communication avec la terre ferme, débarque seulement des passagers et leurs bagages ainsi que la malle postale, ou embarque seulement la malle postale ou des passagers, munis ou non de bagages, et qui n'ont pas communiqué avec ce port ni avec une circonscription contaminée. S'il s'agit de fièvre jaune, le navire doit, en outre, s'être tenu éloigné des côtes autant que possible et au moins à 200 mètres pour empêcher l'invasion des moustiques.

Certificate of sanitary measure applied.

ART. 38.—L'autorité du port qui applique des mesures sanitaires délivre au capitaine, à l'armateur ou à son agent, toutes les fois que la demande en est

It may be permitted to land its cargo after the necessary precautions have been taken, viz:

1<sup>st</sup>. Isolation of the vessel, crew, and passengers.

2<sup>d</sup>. In regard to plague, inquiry as to the existence of an unusual mortality among the rats.

3<sup>d</sup>. In regard to cholera, the substitution of good water in place of the drinking water stored on board, when the latter is considered suspicious.

It may also be permitted to land passengers who so request, upon condition that they submit to the measures prescribed by the local authority.

ART. 37.—Vessels hailing from a contaminated port and which have been subjected to sanitary measures applied in an efficient manner in a port belonging to one of the contracting countries, shall not undergo the same measures a second time upon their arrival in a new port, whether or not the latter belong to the same country, provided no incident has occurred which would involve the application of the sanitary measures contemplated hereinbefore, and provided they have not touched at a contaminated port.

A vessel shall not be considered as having stopped at a port when, without having been in communication with the shore, it lands only passengers and their baggage and the mail, or takes on only the mail, or passengers with or without baggage who have not communicated with the port or with a contaminated area. In case of yellow fever, the vessel must besides have kept away from shore as much as possible, and at a distance of 200 meters, in order to prevent the invasion of mosquitoes.

ART. 38.—A port authority who applies sanitary measures shall deliver to the captain, owner, or agent, whenever requested, a certificate specifying the nature of

faite, un certificat spécifiant al nature des mesures et les raisons pour lesquelles elles ont été appliquées.

ART. 39.—Les passagers arrivés par un navire infecté ont la faculté de réclamer de l'autorité sanitaire du port un certificat indiquant la date de leur arrivée et les mesures auxquelles ils ont été soumis, ainsi que leurs bagages.

ART. 40.—Les bateaux de cabotage feront l'objet d'un régime spécial à établir d'un commun accord entre les pays intéressés.

ART. 41.—Les Gouvernements des Etats riverains d'une même mer peuvent, en tenant compte de leurs situations spéciales et pour rendre plus efficace et moins gênante l'application des mesures sanitaires prévues par la Convention, conclure entre eux des accords particuliers.

ART. 42.—Il est désirable que le nombre des ports pourvus d'une organisation et d'un outillage suffisants pour recevoir un navire, quel que soit son état sanitaire, soit, pour chaque Etat, en rapport avec l'importance du trafic et de la navigation. Toutefois, sans préjudice du droit qu'ont les Gouvernements de se mettre d'accord pour organiser des stations sanitaires communes, chaque pays doit pourvoir au moins un des ports du littoral de chacune de ses mers de cette organisation et de cet outillage.

En outre, il est recommandé que tous les grands ports de navigation maritime soient outillés de telle façon qu'au moins les navires indemnes puissent y subir, dès leur arrivée, les mesures sanitaires prescrites et ne soient pas envoyés, à cet effet, dans un autre port.

Les Gouvernements feront connaître les ports qui sont ouverts chez eux aux provenances de ports contaminés de peste, de choléra ou de fièvre jaune et, en particulier, ceux qui sont ouverts aux navires infectés et suspects.

the measures and the reasons for which they have been applied.

ART. 39.—Passengers arriving on an infected vessel shall have a right to demand a certificate of the health authority of the port showing the date of their arrival and the measures to which they and their baggage have been subjected.

Passengers arriving on infected ships.

ART. 40.—Coasting vessels shall be subjected to special measures to be established by mutual agreement among the countries concerned.

Coasting vessels.

ART. 41.—The Governments of Riparian Nations on the same sea may conclude special agreements among themselves, taking into account their special situations and in order to render more effective and less annoying the application of the sanitary measures provided by the Convention.

Special agreements among nations on the same sea.

ART. 42.—It is desirable that the number of ports provided with a sufficient organization and equipment to receive a vessel, whatever be her sanitary condition, should, in the case of each Nation, be in proportion to the importance of traffic and navigation. However, and without prejudice to the rights of the Governments to agree on organizing common sanitary stations, each country should provide at least one of the ports on the coast line of each of its seas with such an organization and equipment.

Sanitary stations at ports.

Moreover, it is recommended that all great ports of maritime navigation be equipped in such a way that at least uninfected vessels may undergo the prescribed sanitary measures therein as soon as they arrive and not be sent to another port for this purpose.

The Governments shall make known the ports which are open in their country to arrivals from ports contaminated with plague, cholera, and yellow fever, and particularly those which are open to infected or suspicious vessels.

Notification of open ports.

Sanitary arrangements for important ports.

ART. 43.—Il est recommandé que, dans les grands ports de navigation maritime, il soit établi:

a) un service médical régulier du port et une surveillance médicale permanente de l'état sanitaire des équipages et de la population du port;

b) un matériel pour le transport des malades et des locaux appropriés à leur isolement ainsi qu'à l'observation des personnes suspectes;

c) les installations nécessaires à une désinfection efficace et des laboratoires bactériologiques;

d) un service d'eau potable non suspecte à l'usage du port et l'application d'un système présentant toute la sécurité possible pour l'enlèvement des déchets et ordures.

Consideration of measures taken at ports of departure.

ART. 44.—Il est également recommandé aux États contractants de tenir compte, dans le traitement à appliquer aux provenances d'un pays, des mesures que ce dernier a prises pour combattre les maladies infectieuses et pour en empêcher l'exportation.

Land frontiers, etc.

SECTION IV.—MESURES AUX FRONTIÈRES DE TERRE.—VOYAGEURS. CHEMINS DE FER.—ZONES FRONTIÈRES.—VOIES FLUVIALES.

No land quarantine.

ART. 45.—Il ne doit pas être établi de quarantaines terrestres. Seules, les personnes présentant des symptômes de peste, de choléra ou de fièvre jaune peuvent être retenues aux frontières.

Detention of infected persons.

Ce principe n'exclut pas le droit, pour chaque État, de fermer au besoin une partie de ses frontières.

Railroad surveillance.

ART. 46.—Il importe que les voyageurs soient soumis, au point de vue de leur état de santé, à une surveillance de la part du personnel des chemins de fer.

Medical interference limited.

ART. 47.—L'intervention médicale se borne à une visite des voyageurs et aux soins à donner aux malades. Si cette visite se fait, elle est combinée, autant que possible, avec la visite douanière de manière que les voyageurs soient retenus le moins longtemps possible. Les personnes visiblement indisposées sont seules soumises à un examen médical approfondi.

ART. 43.—It is recommended that there be established in large maritime ports:

a) A regular medical service of the port and a permanent medical surveillance of the sanitary conditions of the crews and the inhabitants of the port.

b) Means for the transportation of patients and places set apart for their isolation and for the observation of suspected persons.

c) The necessary plants for efficient disinfection, and bacteriological laboratories.

d) A supply of drinking water beyond suspicion for the use of the port, and a system affording all possible security for carrying off refuse and sewage.

ART. 44.—It is also recommended that the Contracting Nations take into account, in the treatment to be accorded the arrivals from a country, the measures taken by the latter for combating infectious diseases and for preventing their exportation.

SECTION IV.—MEASURES ON LAND FRONTIERS.—TRAVELERS.—RAILROADS.—FRONTIER ZONES.—RIVER ROUTES.

ART. 45.—No land quarantines shall be established.

Only persons showing symptoms of plague, cholera, or yellow fever shall be detained at frontiers.

This rule shall not bar the right of each Nation to close a part of its frontiers in case of necessity.

ART. 46.—It is important that travelers be subjected to surveillance on the part of railroad employees with a view to determining the state of their health.

ART. 47.—Medical interference shall be limited to an examination of the passengers and the care to be given to the sick. If such an examination is made, it should be combined as far as possible with the custom house inspection to the end that travelers may be detained as short a time as possible. Only persons who are obviously ill shall be subjected to a thorough medical examination.

ART. 48.—Dès que les voyageurs venant d'un endroit contaminé seront arrivés à destination, il serait de la plus haute utilité de les soumettre à une surveillance qui ne devrait pas dépasser, à compter de la date du départ, cinq jours s'il s'agit de peste ou de choléra et six jours s'il s'agit de fièvre jaune.

ART. 49.—Les Gouvernements se réservent le droit de prendre des mesures particulières à l'égard de certaines catégories de personnes, notamment des bohémiens et des vagabonds, ainsi que des émigrants et des personnes voyageant ou passant la frontière par troupes.

ART. 50.—Les voitures affectées au transport des voyageurs, de la poste et des bagages ne peuvent être retenues aux frontières.

S'il arrive qu'une de ces voitures soit contaminée ou ait été occupée par un malade atteint de peste ou de choléra, elle sera détachée du train pour être désinfectée le plus tôt possible.

Il en sera de même pour les wagons à marchandises.

ART. 51.—Les mesures concernant le passage aux frontières du personnel des chemins de fer et de la poste sont du ressort des administrations intéressées. Elles sont combinées de façon à ne pas entraver le service.

ART. 52.—Le règlement du trafic-frontière et des questions inhérentes à ce trafic ainsi que l'adoption des mesures exceptionnelles de surveillance, doivent être laissés à des arrangements spéciaux entre les États limitrophes.

ART. 53.—Il appartient aux Gouvernements des États riverains de régler, par des arrangements spéciaux, le régime sanitaire des voies fluviales.

## TITRE II.

### DISPOSITIONS SPÉCIALES AUX PAYS D'ORIENT ET D'EXTRÊME-ORIENT.

#### SECTION I.—MESURES DANS LES PORTS CONTAMINÉS AU DÉPART DES NAVIRES.

ART. 54.—Toute personne, y compris les gens de l'équipage,

ART. 48.—As soon as travelers coming from an infected locality shall have arrived at their destination, it would be of the greatest utility to subject them to a surveillance which ought not to exceed, counting from the date of departure, five days in case of plague or cholera and six days in case of yellow fever.

ART. 49.—The Governments reserve the right to take special measures in regard to certain categories of persons, notably gypsies, vagabonds, emigrants, and persons traveling or crossing the frontier in troops.

ART. 50.—Cars used for the conveyance of passengers, mail, and baggage shall not be detained at frontiers.

If it should happen that one of these cars is contaminated or has been occupied by a plague or cholera patient, it shall be detached from the train and disinfected as soon as possible.

The same rule shall apply to freight cars.

ART. 51.—The measures concerning the crossing of frontiers by railroad and postal employees shall be determined by the companies or departments concerned and shall be so arranged as not to hinder the service.

ART. 52.—The regulation of frontier traffic and questions pertaining thereto, as well as the adoption of exceptional measures of surveillance, shall be left to special arrangements between the contiguous nations.

ART. 53.—It shall be the province of the Governments of the riparian Nations to regulate the sanitary conditions of river routes by means of special arrangements.

## TITLE II.

### SPECIAL PROVISIONS APPLICABLE TO ORIENTAL AND FAR EASTERN COUNTRIES.

#### SECTION I.—MEASURES IN PORTS CONTAMINATED UPON THE DEPARTURE OF VESSELS.

ART. 54.—Every person, including the members of the crew, who

Surveillance of persons from infected areas.

Reservation as to gypsies, etc.

Nondetention of passenger cars, etc.

Disinfection of contaminated cars.

Freight cars.

Nonhindrance of railroad, etc., employees at frontiers.

Regulation of frontier traffic.

Sanitary measures for river routes.

Countries of the Orient and Far East.

Departure of ships from contaminated ports.

Medical examination of crew and passengers on shore.

prenant passage à bord d'un navire doit être, au moment de l'embarquement, examinée individuellement, de jour, à terre, pendant le temps nécessaire, par un médecin délégué de l'autorité publique. L'autorité consulaire dont relève le navire peut assister à cette visite.

Exception at Alexandria and Port Said.

Par dérogation à cette stipulation, à Alexandrie et à Port-Saïd, la visite médicale peut avoir lieu à bord, quand l'autorité sanitaire locale le juge utile, sous la réserve que les passagers de 3<sup>e</sup> classe ne seront plus ensuite autorisés à quitter le bord. Cette visite médicale peut être faite de nuit pour les passagers de 1<sup>re</sup> et de 2<sup>e</sup> classes, mais non pour les passagers de 3<sup>e</sup> classe.

Ships from infected northern ports.

**SECTION II.—MESURES À L'EGARD DES NAVIRES ORDINAIRES VENANT DE PORTS DU NORD CONTAMINÉS ET SE PRÉSENTANT À L'ENTRÉE DU CANAL DE SUEZ OU DANS LES PORTS ÉGYPTIENS.**

Uninfected ships may pass through Suez Canal in quarantine.

**ART. 55.**—Les navires ordinaires indemnes venant d'un port contaminé de peste ou de choléra, d'Europe ou du bassin de la Méditerranée, et se présentant pour passer le Canal de Suez, obtiennent le passage en quarantaine. Ils continuent leur trajet en observation de cinq jours.

May land at Alexandria or Port Said.

**ART. 56.**—Les navires ordinaires indemnes qui veulent aborder en Égypte peuvent s'arrêter à Alexandrie ou à Port-Saïd, où les passagers achèveront le temps de l'observation de cinq jours, soit à bord, soit dans une station sanitaire, selon la décision de l'autorité sanitaire locale.

Egyptian Board of Health to control infected or suspected ships.

**ART. 57.**—Les mesures auxquelles seront soumis les navires infectés et suspects venant d'un port contaminé de peste ou de choléra, d'Europe ou des rives de la Méditerranée, et désirant aborder dans un des ports d'Égypte ou passer le Canal de Suez, seront déterminées par le Conseil sanitaire

takes passage on board a vessel shall, at the time of embarkation, be examined individually in the daytime on shore, for the necessary length of time, by a physician delegated by the public authority. The consular authority of the nation to which the vessel belongs may be present at this examination.

As an exception to this stipulation, the medical examination may take place on shipboard at Alexandria and Port Said, when the local health authority deems it expedient, provided that the third-class passengers shall not be permitted to leave the vessel. This medical examination may be made at night in the case of first and second class passengers but not of third-class passengers.

**SECTION II.—MEASURES WITH RESPECT TO ORDINARY VESSELS HAILING FROM CONTAMINATED NORTHERN PORTS AND APPEARING AT THE ENTRANCE OF THE SUEZ CANAL OR IN EGYPTIAN PORTS.**

**ART. 55.**—Ordinary uninfected vessels hailing from a plague or cholera infected port of Europe or the basin of the Mediterranean and presenting themselves for passage through the Suez Canal shall be allowed to pass through in quarantine. They shall continue their route under observation of five days.

**ART. 56.**—Ordinary uninfected vessels wishing to make a landing in Egypt may stop at Alexandria or Port Said, where the passengers shall complete the observation period of five days either on shipboard or in a sanitary station, according to the decision of the local health authority.

**ART. 57.** The measures to which infected or suspected vessels shall be subjected which hail from a plague or cholera infected port of Europe or the shores of the Mediterranean, and which desire to effect a landing in one of the Egyptian ports or to pass through the Suez Canal, shall be deter-

d'Égypte, conformément aux stipulations de la présente Convention.

Les règlements contenant ces mesures devront, pour devenir exécutoires, être acceptés par les diverses Puissances représentées au Conseil; ils fixeront le régime imposé aux navires, aux passagers et aux marchandises et devront être présentés dans le plus bref délai possible.

mined by the Board of Health of Egypt in conformity with the stipulations of the present Convention.

The regulations containing these measures shall, in order to become effective, be accepted by the various Powers represented on the Board; they shall determine the measures to which vessels, passengers, and merchandise are to be subjected and shall be presented within the shortest possible period.

Acceptance of measures by represented Powers.

### SECTION III.—MESURES DANS LA MER ROUGE.

A. *Mesures à l'égard des navires ordinaires venant du Sud, se présentant dans les ports de la Mer Rouge ou allant vers la Méditerranée.*

ART. 58.—Indépendamment des dispositions générales qui font l'objet de la section III du chapitre 2 du titre I, concernant la classification et le régime des navires infectés, suspects ou indemnes, les prescriptions spéciales, contenues dans les articles ci-après, sont applicables aux navires ordinaires venant du Sud et entrant dans la Mer Rouge.

ART. 59.—Les navires indemnes devront avoir complété ou auront à compléter, en observation, cinq jours pleins à partir du moment de leur départ du dernier port contaminé.

Ils auront la faculté de passer le Canal de Suez en quarantaine et entreranno dans la Méditerranée en continuant l'observation susdite de cinq jours. Les navires ayant un médecin et une étuve ne subiront pas la désinfection avant le transit en quarantaine.

ART. 60.—Les navires suspects sont traités d'une façon différente suivant qu'ils ont ou qu'ils n'ont pas à bord un médecin et un appareil de désinfection (étuve).

a) Les navires, ayant un médecin et un appareil de désinfection (étuve), remplissant les conditions voulues, sont admis à passer le Ca-

### SECTION III.—MEASURES IN THE RED SEA.

A. *Measures with respect to ordinary vessels hailing from the South and appearing in ports of the Red Sea or bound toward the Mediterranean.*

ART. 58.—Independently of the general provisions contained in Section III, Chapter 2, Title I, concerning the classification of and the measures applicable to infected, suspected, or uninfected vessels, the special provisions contained in the ensuing articles are applicable to ordinary vessels coming from the south and entering the Red Sea.

ART. 59.—*Uninfected* vessels must have completed or shall be required to complete an observation period of five full days from the time of their departure from the last infected port.

They shall be allowed to pass through the Suez Canal in quarantine and shall enter the Mediterranean continuing the aforesaid observation period of five days. Ships having a physician and a disinfecting chamber on board shall not undergo disinfection until the passage through in quarantine begins.

ART. 60.—Suspected vessels shall be treated differently according to whether they have a physician and a disinfecting apparatus (chamber) on board or not.

a) Vessels having a physician and a disinfecting apparatus (chamber) on board and fulfilling the necessary conditions shall be

Red Sea.

Ordinary vessels in, hailing from the south.

Special provisions applicable to. *Ante*, p. 16.

Uninfected ships.

Suspected ships.

With physician and disinfecting apparatus.



nal de Suez en quarantaine dans les conditions du règlement pour le transit.

With no physician nor disinfecting apparatus.

b) Les autres navires suspects, n'ayant ni médecin ni appareil de désinfection (étuve), sont, avant d'être admis à transiter en quarantaine, retenus à Suez ou aux Sources de Moïse pendant le temps nécessaire pour exécuter les mesures de désinfection prescrites et s'assurer de l'état sanitaire du navire.

Mail and passenger ships having a physician.

S'il s'agit de navires postaux ou de paquebots spécialement affectés au transport des voyageurs, sans appareil de désinfection (étuve), mais ayant un médecin à bord, si l'autorité locale a l'assurance, par une constatation officielle, que les mesures d'assainissement et de désinfection ont été convenablement pratiquées, soit au point de départ, soit pendant la traversée, le passage en quarantaine est accordé.

S'il s'agit de navires postaux ou de paquebots spécialement affectés au transport des voyageurs, sans appareil de désinfection (étuve), mais ayant un médecin à bord, si le dernier cas de peste ou de choléra remonte à plus de sept jours et si l'état sanitaire du navire est satisfaisant, la libre pratique peut être donnée à Suez, lorsque les opérations réglementaires sont terminées.

Passengers bound for Egypt.

Lorsqu'un bateau a un trajet indemne de moins de sept jours, les passagers à destination d'Égypte sont débarqués dans un établissement désigné par le Conseil d'Alexandrie et isolés pendant le temps nécessaire pour compléter l'observation de cinq jours. Leur linge sale et leurs effets à usage sont désinfectés. Ils reçoivent alors la libre pratique.

Detention for pratique.

Les bateaux ayant un trajet indemne de moins de sept jours et demandant à obtenir la libre pratique en Égypte sont retenus dans un établissement désigné par le Conseil d'Alexandrie le temps nécessaire pour compléter l'observa-

permitted to pass through the Suez Canal in quarantine under conditions prescribed by the regulations for the passage through.

b) Other suspected vessels having neither physician nor disinfecting apparatus (chamber) on board shall, before being permitted to pass through in quarantine, be detained at Suez or Moses Spring a sufficient length of time to carry out the disinfecting measures prescribed and to ascertain the sanitary condition of the vessel.

In the case of mail vessels or of packets specially utilized for the transportation of passengers, having no disinfecting apparatus (chamber), but having a physician on board, if the local authority can through official evidence satisfy itself that sanitation and disinfection measures have properly been carried out, either at port of departure or in the course of the voyage, passage in quarantine shall be granted.

In the case of mail vessels or of packets specially utilized for the transportation of passengers and having no disinfecting apparatus (chamber) but having a physician on board, if the last case of plague or cholera dates back longer than seven days and if the sanitary condition of the vessel is satisfactory, pratique may be granted at Suez when the operations prescribed by the regulations are completed.

When a vessel has had a run of less than seven days without infection, the passengers bound for Egypt shall be landed at an establishment designated by the Board of Health of Alexandria and isolated a sufficient length of time to complete the observation period of five days. Their soiled linen and wearing apparel shall be disinfected. They shall then receive pratique.

Vessels having had a run of less than seven days without infection and desiring to obtain pratique in Egypt shall be detained in an establishment designated by the Board of Health of Alexandria for a sufficient length of time to com-

tion de cinq jours; ils subissent les mesures réglementaires concernant les navires suspects.

Lorsque la peste ou le choléra s'est montré exclusivement dans l'équipage, la désinfection ne porte que sur le linge sale de celui-ci, mais sur tout ce linge sale, et s'étend également aux postes d'habitation de l'équipage.

ART. 61.—Les navires *infectés* se divisent en navires avec médecin et appareil de désinfection (étuve) et navires sans médecin et sans appareil de désinfection (étuve).

a) Les navires sans médecin et sans appareil de désinfection (étuve) sont arrêtés aux Sources de Moïse<sup>1</sup>; les personnes présentant des symptômes de peste ou de choléra sont débarquées et isolées dans un hôpital. La désinfection est pratiquée d'une façon complète. Les autres passagers sont débarqués et isolés par groupes composés de personnes aussi peu nombreuses que possible, de manière que l'ensemble ne soit pas solidaire d'un groupe particulier si la peste ou le choléra venait à se développer. Le linge sale, les objets à usage, les vêtements de l'équipage et des passagers sont désinfectés ainsi que le navire.

Il est bien entendu qu'il ne s'agit pas du déchargement des marchandises, mais seulement de la désinfection de la partie du navire qui a été infectée.

Les passagers resteront pendant cinq jours dans un établissement désigné par le Conseil sanitaire maritime et quarantenaire d'Egypte. Lorsque les cas de peste ou de choléra remonteront à plusieurs jours, la durée de l'isolement sera diminuée. Cette durée variera selon l'époque de la guérison, de la mort ou de l'isolement du dernier malade. Ainsi, lorsque le dernier cas de peste ou de choléra se sera terminé depuis six jours par la guérison ou la

plete the observation period of five days. They shall undergo the measures prescribed for infected vessels.

When the plague or cholera has appeared exclusively among the crew, only the soiled linen of the latter shall be disinfected, but it shall all be disinfected, including that in the living quarters of the crew.

ART. 61.—Infected vessels are divided into vessels with a physician and a disinfecting apparatus (chamber) on board, and vessels without a physician and a disinfecting apparatus (chamber).

a) Vessels without a physician and a disinfecting apparatus (chamber) shall be stopped at Moses Spring;<sup>1</sup> persons showing symptoms of plague or cholera shall be landed and isolated in a hospital. The disinfection shall be carried out in a thorough manner. The other passengers shall be landed and isolated in groups composed of as few persons as possible, so that the whole number may not be infected by a particular group if the plague or cholera should develop. The soiled linen, wearing apparel, and clothing of the crew and passengers, as well as the vessel, shall be disinfected.

It is to be distinctly understood that there shall be no discharge of cargo but simply a disinfection of the part of the vessel which has been infected.

The passengers shall remain for five days in an establishment designated by the Sanitary, Maritime, and Quarantine Board of Egypt. When the cases of plague or cholera date back several days, the length of the isolation shall be diminished. This length shall vary according to the date of the cure, death, or isolation of the last patient. Thus, when the last case of plague or cholera has terminated six days before by a cure or death, or when the last patient has

Plague, etc., exclusively among crew.

Infected vessels.

Without a physician and disinfecting apparatus.

No discharge of cargo allowed.

Detention of passengers.

Length thereof.

<sup>1</sup> Les malades sont autant que possible débarqués aux Sources de Moïse, les autres personnes peuvent subir l'observation dans une station sanitaire désignée par le Conseil sanitaire maritime et quarantenaire d'Egypte (lazaret des pilotes).

<sup>1</sup> The patients shall as far as possible, be landed at Moses Spring; the other persons may undergo the observation in a sanitary station designated by the Sanitary, Maritime, and Quarantine Board of Egypt (pilots' lazaretto).

mort, ou que le dernier malade aura été isolé depuis six jours, l'observation durera un jour; s'il ne s'est écoulé qu'un laps de cinq jours, l'observation sera de deux jours; s'il ne s'est écoulé qu'un laps de quatre jours, l'observation sera de trois jours; s'il ne s'est écoulé qu'un laps de trois jours, l'observation sera de quatre jours; s'il ne s'est écoulé qu'un laps de deux jours ou d'un jour, l'observation sera de cinq jours.

With a physician and disinfecting apparatus.

b) Les navires avec médecin et appareil de désinfection (étuve) sont arrêtés aux Sources de Moïse. Le médecin du bord doit déclarer, sous serment, quelles sont les personnes à bord présentant des symptômes de peste, de choléra. Ces malades sont débarqués et isolés.

Disinfection of soiled linen.

Après le débarquement de ces malades, le linge sale du reste des passagers, que l'autorité sanitaire considérera comme dangereux, et de l'équipage subira la désinfection à bord.

If only crew infected.

Lorsque la peste ou le choléra se sera montré exclusivement dans l'équipage, la désinfection du linge ne portera que sur le linge sale de l'équipage et le linge des postes de l'équipage.

Ship's physician to declare suspected persons, etc.

Le médecin du bord doit indiquer aussi, sous serment, la partie ou le compartiment du navire et la section de l'hôpital dans lesquels le ou les malades ont été transportés. Il doit déclarer également, sous serment, quelles sont les personnes qui ont été en rapport avec le pestiféré ou le cholérique depuis la première manifestation de la maladie, soit par des contacts directs, soit par des contacts avec des objets qui pourraient être contaminés. Ces seules personnes seront considérées comme suspects.

Places to be disinfected.

La partie ou le compartiment du navire et la section de l'hôpital dans lesquels le ou les malades auront été transportés, seront complètement désinfectés. On entend par "partie du navire" la cabine du malade, les cabines attenantes, le couloir de ces cabines, le pont, les parties du pont sur

been isolated for six days, the observation shall last one day; if only five days have elapsed, the observation period shall be two days; if only four days have elapsed, the observation period shall be three days; if only three days have elapsed, the observation period shall be four days; and if only two days or one day has elapsed, the observation period shall be five days.

b) Vessels with a physician and a disinfecting apparatus (chamber) on board shall be stopped at Moses Spring. The ship's physician must declare, under oath, what persons on board show symptoms of plague or cholera. These patients shall be landed and isolated.

After the landing of these patients, the soiled linen of the rest of the passengers which the health authority may consider dangerous, as well as that of the crew, shall undergo disinfection on board.

When plague or cholera shall have appeared exclusively among the crew, the disinfection of the linen shall be limited to the soiled linen of the crew and the linen of the living apartments of the crew.

The ship's physician shall indicate also, under oath, the part or compartment of the vessel and the section of the hospital in which the patient or patients have been transported. He shall also declare, under oath, what persons have been in contact with the plague or cholera patient since the first manifestation of the disease, either directly or through contact with objects which might be contaminated. Such persons alone shall be considered as "suspects".

The part or compartment of the vessel and the section of the hospital in which the patient or patients have been transported shall be thoroughly disinfected. By "part of the ship" shall be meant the cabin of the patient, the neighboring cabins, the corridor on which these cabins are

lesquelles le ou les malades auraient séjourné.

S'il est impossible de désinfecter la partie ou le compartiment du navire qui a été occupé par les personnes atteintes de peste ou de choléra, sans débarquer les personnes déclarées suspectes, ces personnes seront ou placées sur un autre navire spécialement affecté à cet usage, ou débarquées et logées dans l'établissement sanitaire, sans contact avec les malades, lesquels doivent être placés dans l'hôpital.

La durée de ce séjour sur le navire ou à terre pour la désinfection sera aussi courte que possible et n'excédera pas vingt-quatre heures.

Les suspects subiront, soit sur leur bâtiment, soit sur le navire affecté à cet usage, une observation dont la durée variera suivant les cas et dans les termes prévus au 3<sup>e</sup> alinéa du paragraphe (a).

Le temps pris par les opérations réglementaires est compris dans la durée de l'observation.

Le passage en quarantaine peut être accordé avant l'expiration des délais indiqués ci-dessus si l'autorité sanitaire le juge possible. Il sera, en tout cas, accordé lorsque la désinfection aura été accomplie si le navire abandonne, outre ses malades, les personnes indiquées ci-dessus comme "suspects".

Une étuve placée sur un ponton peut venir accoster le navire pour rendre plus rapides les opérations de désinfection.

Les navires infectés demandant à obtenir la libre pratique en Égypte sont retenus aux Sources de Moïse cinq jours; ils subissent, en outre, les mêmes mesures que celles adoptées pour les navires infectés arrivant en Europe.

located, the deck, and the parts of the deck where the patients have been.

If it is impossible to disinfect the part or compartment of the vessel which has been occupied by the persons stricken with plague or cholera without landing the persons declared suspects, these persons shall be either placed in another vessel specially designated for this purpose or landed and lodged in the sanitary establishment without coming in contact with the patients, who shall be placed in the hospital.

The duration of this stay on the vessel or on shore shall be as short as possible and shall not exceed twenty-four hours.

The suspects shall undergo, either on their vessel or on the vessel designated for this purpose, an observation period whose duration shall vary according to the cases and under the conditions provided in the third paragraph of subdivision (a).

The time taken up by the prescribed operations shall be comprised in the duration of the observation period.

The passage through in quarantine may be allowed before the expiration of the periods indicated above if the health authority deems it possible. It shall at all events be granted when the disinfection has been completed, if the vessel leaves behind not only its patients but also the persons indicated above as "suspects."

A disinfecting chamber placed on a lighter may come alongside the vessel in order to expedite the disinfecting operations.

Infected vessels requesting pratique in Egypt shall be detained at Moses Spring five days; they shall, moreover, undergo the same measures as those adopted for infected vessels arriving in Europe.

Treatment of suspects.

Annex, p. 31.

Passage through in quarantine after complete disinfection.

Infected vessels at Moses Spring.

Measures during Mecca pilgrimage.

*B. Mesures à l'égard des navires ordinaires venant de ports contaminés du Hedjaz, en temps de pèlerinage.*

*B.—Measures with respect to ordinary vessels hailing from the infected ports of Hedjaz during the pilgrimage season.*

Treatment of ships from the Hedjaz, etc., during prevalence of plague, etc.

ART. 62.—A l'époque du pèlerinage de la Mecque, si la peste ou le choléra sévit au Hedjaz, les navires provenant du Hedjaz ou de toute autre partie de la côte arabique de la Mer Rouge, sans y avoir embarqué des pèlerins ou masses analogues et qui n'ont pas eu à bord, durant la traversée, d'accident suspect, sont placés dans la catégorie des navires ordinaires suspects. Ils sont soumis aux mesures préventives et au traitement imposés à ces navires.

ART. 62.—If plague or cholera prevails in Hedjaz during the time of the Mecca pilgrimage, vessels coming from the Hedjaz or from any other part of the Arabian coast of the Red Sea without having embarked there any pilgrims or similar masses of persons, and which have not had any suspicious occurrence on board during the voyage, shall be placed in the category of ordinary suspected vessels. They shall be subjected to the preventive measures and to the treatment imposed on such vessels.

If bound for Egypt.

S'ils sont à destination de l'Égypte, ils subissent, dans un établissement sanitaire désigné par le Conseil sanitaire maritime et quarantenaire, une observation de cinq jours, à compter de la date du départ, pour le choléra comme pour la peste. Ils sont soumis, en outre, à toutes les mesures prescrites pour les bateaux suspects (désinfection, etc.) et ne sont admis à la libre pratique qu'après visite médicale favorable.

If they are bound for Egypt they shall undergo, in a sanitary establishment designated by the Sanitary, Maritime, and Quarantine Board, an observation of five days from the date of departure for cholera as well as for plague. They shall be subjected, moreover, to all the measures prescribed for suspected vessels (disinfection, etc.), and shall not be granted pratique until they have passed a favorable medical examination.

Detention at Moses Spring.

Il est entendu que si les navires, durant la traversée, ont eu des accidents suspects, l'observation sera subie aux Sources de Moïse et sera de cinq jours, qu'il s'agisse de peste ou de choléra.

It shall be understood that if the vessels have had suspicious occurrences during the voyage they shall pass the observation period at Moses Spring, which shall last five days whether it be a question of plague or cholera.

Surveillance, etc., at Suez and Moses Spring.

SECTION IV.—ORGANISATION DE LA SURVEILLANCE ET DE LA DÉSINFECTION À SUEZ ET AUX SOURCES DE MOÏSE.

SECTION IV.—ORGANIZATION OF SURVEILLANCE AND DISINFECTION AT SUEZ AND MOSES SPRING.

Medical inspection.

ART. 63.—La visite médicale prévue par les règlements est faite pour chaque navire arrivant à Suez par un ou plusieurs médecins de la station; elle est faite de jour pour les provenances des ports contaminés de peste ou de choléra. Elle peut avoir lieu, même de nuit, sur ces navires qui se présentent pour transiter le Canal, s'ils sont éclairés à la lumière électrique, et toutes les

ART. 63.—The medical inspection prescribed by the regulations shall be made on each vessel arriving at Suez by one or more of the physicians of the station, being made in the daytime on vessels hailing from ports infected with plague or cholera. It may, however, be made at night on vessels which come to pass through the canal, provided they are lit by electricity and whenever the local

fois que l'autorité sanitaire locale a l'assurance que les conditions d'éclairage sont suffisantes.

ART. 64.—Les médecins de la station de Suez sont au nombre de sept au moins, un médecin en chef, six titulaires. Ils doivent être pourvus d'un diplôme régulier et choisis de préférence parmi les médecins ayant fait des études spéciales pratiques d'épidémiologie et de bactériologie. Ils sont nommés par le Ministre de l'Intérieur, sur la présentation du Conseil sanitaire maritime et quarantenaire d'Égypte. Ils reçoivent un traitement qui, de huit mille francs, peut s'élever progressivement à douze mille francs pour les six médecins et de douze mille à quinze mille francs pour le médecin en chef.

Si le service médical était encore insuffisant, on aurait recours aux médecins de la marine des différents États: ces médecins seraient placés sous l'autorité du médecin en chef de la station sanitaire.

ART. 65.—Un corps de gardes sanitaires est chargé d'assurer la surveillance et l'exécution des mesures de prophylaxie appliquées dans le Canal de Suez, à l'établissement des Sources de Moïse et à Tor.

ART. 66.—Ce corps comprend dix gardes.

Il est recruté parmi les anciens sous-officiers des armées et marines européennes et égyptiennes.

Les gardes sont nommés, après que leur compétence a été constatée par le Conseil, dans les formes prévues à l'article 14 du décret khédivial du 19 juin 1893.

ART. 67.—Les gardes sont divisés en deux classes:

La 1<sup>re</sup> classe comprend quatre gardes;

La 2<sup>e</sup> comprend six gardes.

ART. 68.—La solde annuelle allouée aux gardes est pour:

la 1<sup>re</sup> classe, de 160 l. ég. à 200 l. ég.;

health authority is satisfied that the lighting facilities are adequate.

ART. 64.—The physicians of the Suez station shall be at least seven in number—one chief physician and six others. They must possess a regular diploma and shall be chosen preferably from among physicians who have made special practical studies in epidemiology and bacteriology. They shall be appointed by the Minister of the Interior upon the recommendation of the Sanitary, Maritime, and Quarantine Board of Egypt. They shall receive a salary to begin at 8,000 francs and which may progressively rise to 12,000 francs for the six physicians, and vary from 12,000 to 15,000 francs for the chief physician.

If the medical service should still prove inadequate, recourse may be had to the surgeons of the navies of the several nations, who shall be placed under the authority of the chief physician of the sanitary station.

ART. 65.—A corps of sanitary guards shall be intrusted with the surveillance and execution of the prophylactic measures applied in the Suez Canal, at the establishment at Moses Spring, and at Tor.

ART. 66.—This corps shall comprise ten guards.

It shall be recruited from among former noncommissioned officers of the European and Egyptian armies and navies.

After their competence has been ascertained by the Board, the guards shall be appointed in the manner provided by article 14 of the Khedival decree of June 19, 1893.

ART. 67.—The guards shall be divided into two classes, the first comprising four and the second six guards.

ART. 68.—The annual compensation allowed the guards shall be:

For the first class, from £160 Eg. to £200 Eg.;

Physicians at Suez.

Qualifications, appointment, etc.

Salaries.

Assistance by naval surgeons.

Sanitary guards.

Appointment.

Classification.

Compensation.

la 2<sup>e</sup> classe, de 120 l. ég. à 168 l. ég.;  
avec augmentation progressive jusqu'à ce que le maximum soit atteint.

Authority, etc.

ART. 69.—Les gardes sont investis du caractère d'agents de la force publique, avec droit de réquisition en cas d'infraction aux règlements sanitaires.

Ils sont placés sous les ordres immédiats du directeur de l'office de Suez ou de Tor.

Passage of Canal in quarantine.

#### SECTION V.—PASSAGE EN QUARANTAINE DU CANAL DE SUEZ.

Granting permits.

ART. 70.—L'autorité sanitaire de Suez accorde le passage en quarantaine. Le Conseil en est immédiatement informé.

Dans les cas douteux, la décision est prise par le Conseil.

Notification by telegram.

ART. 71.—Dès que l'autorisation prévue à l'article précédent est accordée, un télégramme est expédié à l'autorité désignée par chaque Puissance. L'expédition du télégramme est faite aux frais du navire.

Penalties for abandoning indicated route.

ART. 72.—Chaque Puissance édictera des dispositions pénales contre les bâtiments qui, abandonnant le parcours indiqué par le capitaine, aborderaient indûment un des ports du territoire de cette Puissance. Seront exceptés les cas de force majeure et de relâche forcée.

Employees not on crew list, etc.

ART. 73.—Lors de l'arraisonnement, le capitaine est tenu de déclarer s'il a à son bord des équipes de chauffeurs indigènes ou de serviteurs à gages quelconques, non inscrits sur le rôle d'équipage ou le registre à cet usage.

Les questions suivantes sont notamment posées aux capitaines de tous les navires se présentant à Suez, venant du Sud. Ils y répondent sous serment:

"Avez-vous des auxiliaires: chauffeurs ou autres gens de service, non inscrits sur le rôle de l'équipage ou sur le registre spécial? Quelle est leur nationalité? Où les avez-vous embarqués?"

For the second class, from £120 Eg. to £168 Eg.;

With a progressive increase until the maximum is reached.

ART. 69.—The guards shall be invested with the character of officers of the public peace, with the right to call for assistance in case of infractions of the sanitary regulations.

They shall be placed under the immediate orders of the Director of the Suez or the Tor Bureau.

#### SECTION V.—PASSAGE THROUGH THE SUEZ CANAL IN QUARANTINE.

ART. 70.—The health authority of Suez shall grant the passage through in quarantine, and the Board shall be immediately informed thereof.

Doubtful cases shall be decided by the Board.

ART. 71.—As soon as the permit provided for in the preceding article is granted, a telegram shall be sent to the authority designated by each Power, the dispatch of the telegram being at the expense of the vessel.

ART. 72.—Each Power shall establish penalties against vessels which abandon the route indicated by the captain and unduly approach one of the ports within its territory, cases of *vis major* and enforced sojourn being excepted.

ART. 73.—Upon a vessel's being spoken, the captain shall be obliged to declare whether he has on board any gangs of native stokers or of wage-earning employees of any description who are not inscribed on the crew list or the register kept for this purpose.

The following questions in particular shall be asked the captains of all vessels arriving at Suez from the south, and shall be answered under oath:

"Have you any helpers (stokers or other workmen) not inscribed on your crew list or on the special register? What is their nationality? Where did you embark them?"

Les médecins sanitaires doivent s'assurer de la présence de ces auxiliaires et, s'ils constatent qu'il y a des manquants parmi eux, chercher avec soin les causes de l'absence.

ART. 74.—Un officier sanitaire et deux gardes sanitaires montent à bord. Ils doivent accompagner le navire jusqu'à Port-Saïd. Ils ont pour mission d'empêcher les communications et de veiller à l'exécution des mesures prescrites pendant la traversée du Canal.

ART. 75.—Tout embarquement ou débarquement et tout transbordement de passagers ou de marchandises sont interdits pendant le parcours du Canal de Suez à Port-Saïd.

Toutefois, les voyageurs peuvent s'embarquer à Port-Saïd en quarantaine.

ART. 76.—Les navires transitant en quarantaine doivent effectuer le parcours de Suez à Port-Saïd sans garage.

En cas d'échouage ou de garage indispensable, les opérations nécessaires sont effectuées par le personnel du bord, en évitant toute communication avec le personnel de la Compagnie du Canal de Suez.

ART. 77.—Les transports de troupes par bateaux suspects ou infectés transitant en quarantaine sont tenus de traverser le Canal seulement de jour. S'ils doivent séjourner de nuit dans le canal, ils prennent leur mouillage au lac Timsah ou dans le grand lac.

ART. 78.—Le stationnement des navires transitant en quarantaine est interdit dans le port de Port-Saïd, sauf dans les cas prévus aux articles 75, alinéa 2, et 79.

Les opérations de ravitaillement doivent être pratiquées avec les moyens du bord.

Les chargeurs ou toutes autres personnes, qui seraient montés à bord sont isolés sur le ponton quarantenaire. Leurs vêtements y subissent la désinfection réglementaire.

The sanitary physicians should ascertain the presence of these helpers and if they discover that any of them are missing they should carefully seek the cause of their absence.

ART. 74.—A health officer and two sanitary guards shall board the vessel and accompany her to Port Said. Their duty shall be to prevent communications and see to the execution of the prescribed measures during the passage through the canal.

ART. 75.—All embarkations, landings, and transshipments of passengers or cargo are forbidden during the passage through the Suez Canal to Port Said.

However, passengers may embark at Port Said in quarantine.

ART. 76.—Vessels passing through in quarantine shall make the trip from Suez to Port Said without putting into dock.

In case of stranding or of being compelled to put into dock, the necessary operations shall be performed by the personnel on board, all communications with the employees of the Suez Canal Company being avoided.

ART. 77.—When troops are conveyed through the canal on suspicious or infected vessels passing through in quarantine, the trip shall be made in the daytime only. If it is necessary to stop at night in the canal, the vessels shall anchor in Lake Timsah or the Great Lake.

ART. 78.—Vessels passing through in quarantine are forbidden to stop in the harbor of Port Said except in the cases contemplated in articles 75 (paragraph 2) and 79.

The supply and preparation of food on board vessels shall be effected with the means at hand on the vessels.

Stevedores or any other persons who may have gone on board shall be isolated on the quarantine lighter. Their clothing shall there undergo disinfection as per regulations.

Health officer, etc., to accompany ship to Port Said.

Embarkations, etc. forbidden.

Exception.

Duties of ships passing in quarantine.

Suspected, etc., ships carrying troops.

Stopping at Port Said forbidden, etc.

Supplying food.

Isolating stevedores, etc.



Coaling at Port Said.

ART. 79.—Lorsqu'il est indispensable, pour les navires transitant en quarantaine, de prendre du charbon à Port-Saïd, ces navires doivent exécuter cette opération dans un endroit offrant les garanties nécessaires d'isolement et de surveillance sanitaire, qui sera indiqué par le Conseil sanitaire. Pour les navires à bord desquels une surveillance efficace de cette opération est possible et où tout contact avec les gens du bord peut être évité, le charbonnage par les ouvriers du port est autorisé. La nuit, le lieu de l'opération doit être éclairé à la lumière électrique.

Treatment of pilots, etc.

ART. 80.—Les pilotes, les électriciens, les agents de la Compagnie et les gardes sanitaires sont déposés à Port-Saïd, hors du port, entre les jetées, et de là conduits directement au ponton de quarantaine, où leurs vêtements subissent la désinfection lorsqu'elle est jugée nécessaire.

Privileges accorded warships.

ART. 81.—Les navires de guerre ci-après déterminés bénéficient, pour le passage du Canal de Suez, des dispositions suivantes:

Ils seront reconnus indemnes par l'autorité quarantenaire sur la production d'un certificat émanant des médecins du bord, countersigné par le Commandant et affirmant sous serment:

a) qu'il n'y a eu à bord, soit au moment du départ, soit pendant la traversée, aucun cas de peste ou de choléra;

b) qu'une visite minutieuse de toutes les personnes existant à bord, sans exception, a été passée moins de douze heures avant l'arrivée dans le port égyptien et qu'elle n'a révélé aucun cas de ces maladies.

Ces navires sont exempts de la visite médicale et reçoivent immédiatement libre pratique, à la condition qu'ils aient complété, à partir de leur départ du dernier port contaminé, une période de cinq jours pleins.

Ceux de ces navires qui n'ont pas complété la période exigée peuvent transiter le Canal en quarantaine sans subir la visite médicale, pourvu qu'ils produisent

ART. 79.—When it is absolutely necessary for vessels passing through in quarantine to take on coal at Port Saïd, they shall perform this operation in a locality affording the necessary facilities for isolation and sanitary surveillance, to be selected by the Board of Health. When it is possible to maintain a strict supervision on board the vessel and to prevent all contact with the persons on board, the coaling of the vessel by the workmen of the port may be permitted. At night the place where the coaling is done should be illuminated by electric lights.

ART. 80.—The pilots, electricians, agents of the Company, and sanitary guards shall be put off at Port Saïd outside of the port between the jetties and thence conducted directly to the quarantine lighter, where their clothing shall undergo disinfection when deemed necessary.

ART. 81.—The war vessels hereinafter specified shall enjoy the benefits of the following provisions when passing through the Suez Canal:

They shall be recognized by the quarantine authority as uninfected upon the production of a certificate issued by the physicians on board, countersigned by the commanding officer, and affirming under oath:

a) That there has not been any case of plague or cholera on board either at the time of departure or during the passage.

b) That a careful examination of all persons on board, without any exception, has been made less than twelve hours before the arrival in the Egyptian port, and that it revealed no case of these diseases.

These vessels shall be exempted from the medical examination and immediately receive pratique, provided a period of five full days has elapsed since their departure from the last infected port.

In case the required period has not elapsed, the vessels may pass through the canal in quarantine without undergoing the medical examination, provided they pre-

le susdit certificat à l'autorité quarantenaire.

L'autorité quarantenaire a néanmoins le droit de faire pratiquer, par ses agents, la visite médicale à bord des navires de guerre toutes les fois qu'elle le juge nécessaire.

Les navires de guerre, suspects ou infectés, seront soumis aux règlements en vigueur.

Ne sont considérées comme navires de guerre que les unités de combat. Les bateaux-transports, les navires-hôpitaux entrent dans la catégorie des navires ordinaires.

ART. 82.—Le Conseil sanitaire, maritime et quarantenaire d'Égypte est autorisé à organiser le transit du territoire égyptien, par voie ferrée, des malles postales et des passagers ordinaires venant de pays contaminés dans des trains quarantentaires, sous les conditions déterminées dans l'Annexe I.

#### SECTION VI.—RÉGIME SANITAIRE APPLICABLE AU GOLFE PERSIQUE

ART. 83.—La réglementation sanitaire telle qu'elle est instituée par les articles de la présente Convention sera appliquée, en ce qui concerne les navires pénétrant dans le Golfe Persique, par les autorités sanitaires des ports d'arrivée.

Cette réglementation est soumise, sous le rapport de la classification des navires ainsi que du régime à leur faire subir dans le Golfe Persique, aux trois réserves suivantes:

1° la surveillance des passagers et de l'équipage sera toujours remplacée par une observation de même durée;

2° les navires indemnes ne pourront y recevoir libre pratique qu'à la condition d'avoir complété cinq jours pleins à partir du moment de leur départ du dernier port contaminé;

3° en ce qui concerne les navires suspects, le délai de cinq jours pour l'observation de l'équipage et des passagers comptera à partir du moment où il n'existe plus de cas de peste ou de choléra à bord.

sent the above-mentioned certificate to the quarantine authorities.

The quarantine authorities shall nevertheless have a right to cause their agents to perform the medical examination on board war vessels whenever they deem it necessary.

Suspicious or infected war vessels shall be subjected to the regulations in force.

Only fighting units shall be considered as war vessels, transports and hospital ships falling under the category of ordinary vessels.

Transports, etc., considered ordinary vessels.

ART. 82.—The Sanitary, Maritime, and Quarantine Board of Egypt is authorized to organize the transit through Egyptian territory by rail of the mails and ordinary passengers coming from infected countries in quarantine trains, under the conditions set forth in Annex I.

Transit of mails, etc., through Egyptian territory by rail.

Post. p. 62.

#### SECTION VI.—SANITARY MEASURES APPLICABLE TO THE PERSIAN GULF.

ART. 83.—The sanitary regulation established by the articles of the present Convention shall be applied, as regards vessels entering the Persian Gulf, by the health authorities of the ports of arrival.

Persian Gulf.

Sanitary measures applicable.

This regulation shall be subject to the following three reservations with respect to the classification of the vessels and to the measures to be applied to them in the Persian Gulf:

Exceptions.

1<sup>st</sup>. The surveillance of the passengers and crew shall always be superseded by an observation of the same duration.

2<sup>d</sup>. Uninfected vessels may obtain pratique there only upon condition that five full days have elapsed since the time of their departure from the last infected port.

3<sup>d</sup>. In regard to suspected vessels the period of five days for the observation of the crew and passengers shall begin as soon as there is no case of plague or cholera on board.

## TITRE III.

## TITLE III.

Pilgrimages.

DISPOSITIONS SPÉCIALES AUX PÈLERINAGES.

PROVISIONS SPECIALLY APPLICABLE TO PILGRIMAGES.

## CHAPITRE PREMIER.

## CHAPTER FIRST.

General provisions.

PRESCRIPTIONS GÉNÉRALES.

GENERAL PROVISIONS.

Medical examina-  
tion, etc.  
Anse, p. 27.

ART. 84.—Les dispositions de l'article 54 du titre II sont applicables aux personnes et objets à destination du Hedjaz ou de l'Irak-Arabi et qui doivent être embarqués à bord d'un navire à pèlerins, alors même que le port d'embarquement ne serait pas contaminé de peste ou de choléra.

ART. 84.—The provisions of article 54 of Title II are applicable to persons and objects bound for Hedjaz or Irak-Arabi and who are to be embarked on a pilgrim ship, even if the port of embarkation is not infected with plague or cholera.

Embarkation from  
infected ports restrict-  
ed.

ART. 85.—Lorsqu'il existe des cas de peste ou de choléra dans le port, l'embarquement ne se fait à bord des navires à pèlerins qu'après que les personnes réunies en groupes ont été soumises à une observation permettant de s'assurer qu'aucune d'elles n'est atteinte de la peste ou du choléra.

ART. 85.—When cases of plague or cholera exist in the port, no embarkation shall be made on pilgrim ships until after the persons, assembled in a group, have been subjected to an observation for the purpose of ascertaining that none of them is stricken with plague or cholera.

Il est entendu que, pour exécuter cette mesure, chaque Gouvernement peut tenir compte des circonstances et possibilités locales.

It shall be understood that, in executing this measure, each Government may take into account the local circumstances and possibilities.

Sufficient means to  
complete pilgrimage  
required.

ART. 86.—Les pèlerins sont tenus, si les circonstances locales le permettent, de justifier des moyens strictement nécessaires pour accomplir le pèlerinage, spécialement du billet d'aller et retour.

ART. 86.—If local circumstances permit, the pilgrims shall be obliged to prove that they possess the means absolutely necessary to complete the pilgrimage, especially a round-trip ticket.

Long-voyage trans-  
portation restricted to  
steamships.

ART. 87.—Les navires à vapeur sont seuls admis à faire le transport des pèlerins au long cours. Ce transport est interdit aux autres bateaux.

ART. 87.—Steamships shall alone be permitted to engage in the long-voyage transportation of pilgrims, all other vessels being forbidden to engage in this traffic.

Regulations for  
coasting trade ships.

ART. 88.—Les navires à pèlerins faisant le cabotage destinés aux transports de courte durée dits "voyages au cabotage" sont soumis aux prescriptions contenues dans le Règlement spécial applicable au pèlerinage du Hedjaz qui sera publié par le Conseil de santé de Constantinople, conformément aux principes édictés dans la présente Convention.

ART. 88.—Pilgrim ships engaged in coasting trade and used in making the conveyances of short duration called "coasting trade" shall be subject to the provisions contained in the special regulations applicable to the Hedjaz pilgrimage, which shall be published by the Board of Health of Constantinople in accordance with the principles announced in the present Convention.

ART. 89.—N'est pas considéré comme navire à pèlerins celui qui, outre ses passagers ordinaires, parmi lesquels peuvent être compris les pèlerins des classes supérieures, embarque des pèlerins de la dernière classe, en proportion moindre d'un pèlerin par cent tonneaux de jauge brute.

ART. 90.—Tout navire à pèlerins se trouvant dans les eaux ottomanes doit se conformer aux prescriptions contenues dans le Règlement spécial applicable au pèlerinage du Hedjaz qui sera publié par le Conseil de santé de Constantinople, conformément aux principes édictés dans la présente Convention.

ART. 91.—Le capitaine est tenu de payer la totalité des taxes sanitaires exigibles des pèlerins. Elles doivent être comprises dans le prix du billet.

ART. 92.—Autant que faire se peut, les pèlerins qui débarquent ou embarquent dans les stations sanitaires ne doivent avoir entre eux aucun contact sur les points de débarquement.

Les pèlerins débarqués doivent être répartis au campement en groupes aussi peu nombreux que possible.

Il est nécessaire de leur fournir une bonne eau potable, soit qu'on la trouve sur place, soit qu'on l'obtienne par distillation.

ART. 93.—Lorsqu'il y a de la peste ou du choléra au Hedjaz, les vivres emportés par les pèlerins sont détruits si l'autorité sanitaire le juge nécessaire.

## CHAPITRE II.

### NAVIRES À PÈLERINS.—INSTALLATIONS SANITAIRES.

#### SECTION I.—CONDITIONNEMENT GÉNÉRAL DES NAVIRES.

ART. 94.—Le navire doit pouvoir loger les pèlerins dans l'entrepont.

En dehors de l'équipage, le navire doit fournir à chaque individu, quel que soit son âge, une surface de 1 m. 50 carrés, c'est-à-

ART. 89.—A vessel which does not embark a greater proportion of pilgrims of the lowest class than one per hundred tons' gross burden, in addition to its ordinary passengers (among whom pilgrims of the higher class may be included), shall not be considered as a pilgrim ship.

Vessels not rated as pilgrim ships.

ART. 90.—Every pilgrim ship situated in Ottoman waters must conform to the provisions contained in the special regulations applicable to the Hedjaz pilgrimage, which shall be published by the Board of Health of Constantinople in accordance with the principles set forth in the present convention.

Pilgrim ships in Turkish waters.

ART. 91.—The captain shall be obliged to pay all the sanitary taxes collectible from the pilgrims, which shall be comprised in the price of the ticket.

Payment of sanitary taxes.

ART. 92.—As far as possible, the pilgrims who land or embark at the sanitary stations should not come in contact with one another at the points of debarkation.

Isolation, etc., at sanitary stations.

The pilgrims who are landed shall be sent to the encampment in as small groups as possible.

They must be furnished with good drinking water, whether it is found on the spot or obtained by distillation.

ART. 93.—When there is plague or cholera in Hedjaz, the provisions carried by the pilgrims shall be destroyed if the health authority deems it necessary.

Destruction of insanitary provisions.

## CHAPTER II.

### PILGRIM SHIPS.—SANITARY ARRANGEMENTS.

#### Section I.—GENERAL ARRANGEMENT OF VESSELS.

ART. 94.—The vessel must be able to lodge pilgrims between decks.

Pilgrim ships.

Sanitary arrangements.

Space requirements.

Outside of the crew, the vessel shall furnish to every individual, whatever be his age, a surface of 1.5 square meters (16 English

dire 16 pieds carrés anglais, avec une hauteur d'entrepont d'environ 1 m. 80.

Pour les navires qui font le cabotage, chaque pèlerin doit disposer d'un espace d'au moins 2 mètres de largeur dans le long des plats-bords du navire.

Sea water for bathing pilgrims.

ART. 95.—De chaque côté du navire, sur le pont, doit être réservé un endroit dérobé à la vue et pourvu d'une pompe à main, de manière à fournir de l'eau de mer pour les besoins des pèlerins. Un local de cette nature doit être exclusivement affecté aux femmes.

Water closets for passengers.

ART. 96.—Le navire doit être pourvu, outre les lieux d'aisances à l'usage de l'équipage, de latrines à effet d'eau ou pourvues d'un robinet dans la proportion d'au moins une latrine pour chaque centaine de personnes embarquées.

Des latrines doivent être affectées exclusivement aux femmes.

Des lieux d'aisances ne doivent pas exister dans les entreponts ni dans la cale.

Private cooking arrangements.

ART. 97.—Le navire doit être muni de deux locaux affectés à la cuisine personnelle des pèlerins. Il est interdit aux pèlerins de faire du feu ailleurs, notamment sur le pont.

Infirmaries.

ART. 98.—Des locaux d'infirmerie offrant de bonnes conditions de sécurité et de salubrité doivent être réservés au logement des malades.

Ils seront disposés de manière à pouvoir isoler, d'après le genre de maladie, les personnes atteintes d'affections transmissibles.

L'infirmerie doit pouvoir recevoir au moins 5 p. 100 des pèlerins embarqués à raison de 3 mètres carrés par tête.

Medical treatment.

ART. 99.—Chaque navire doit avoir à bord les médicaments, les désinfectants et les objets nécessaires aux soins des malades. Les règlements faits pour ce genre de navires par chaque Gouvernement doivent déterminer la nature et la quantité des médicaments.<sup>1</sup> Les

square feet) with a height between decks of about 1.8 meters.

On vessels engaged in coasting trade each pilgrim shall have at his disposal a space of at least 2 meters wide along the gunwales of the vessel.

ART. 95.—On each side of the vessel, on deck, there shall be reserved a place screened from view and provided with a hand pump so as to furnish sea water for the needs of the pilgrims. One such place shall be reserved exclusively for women.

ART. 96.—In addition to the water closets for the use of the crew, the vessel shall be provided with latrines flushed with water or provided with a stop cock, in the proportion of at least one latrine for every 100 persons embarked.

There shall be latrines reserved exclusively for women.

There shall be no water closets between decks or within the hold.

ART. 97.—The vessel shall have two places arranged for private cooking by the pilgrims, who shall be forbidden to make a fire elsewhere and especially on deck.

ART. 98.—Infirmaries properly arranged with regard to safety and sanitary conditions shall be reserved for lodging the sick.

They shall be so arranged as to be capable of isolating, according to the kind of disease, persons stricken with transmissible ailments.

The infirmaries shall be able to receive at least 5 per cent of the pilgrims embarked, allowing at least 3 square kilometers per head.

ART. 99.—Every vessel shall have on board the medicines, disinfectants, and articles necessary for the care of the sick. The regulations made for this kind of vessels by each Government shall determine the nature and quantity of the medicines.<sup>1</sup> The care and

<sup>1</sup> Il est désirable que chaque navire soit muni des principaux agents d'immunisation (sérum antipesteux, vaccin de Haffkine, etc.).

<sup>1</sup> It is desirable that each vessel be provided with the principal immunising agents (antipestiferous serum, Haffkine vaccine, etc.).

soins et les remèdes sont fournis gratuitement aux pèlerins.

ART. 100.—Chaque navire embarquant des pèlerins doit avoir à bord un médecin régulièrement diplômé et commissionné par le Gouvernement du pays auquel le navire appartient ou par le Gouvernement du port où le navire prend des pèlerins. Un second médecin doit être embarqué dès que le nombre des pèlerins portés par le navire dépasse mille.

ART. 101.—Le capitaine est tenu de faire apposer à bord, dans un endroit apparent et accessible aux intéressés, des affiches rédigées dans les principales langues des pays habités par les pèlerins à embarquer, et indiquant:

- 1° la destination du navire;
- 2° le prix des billets;
- 3° la ration journalière en eau et en vivres allouée à chaque pèlerin;
- 4° le tarif des vivres non compris dans la ration journalière et devant être payés à part.

ART. 102.—Les gros bagages des pèlerins sont enregistrés, numérotés et placés dans la cale. Les pèlerins ne peuvent garder avec eux que les objets strictement nécessaires. Les règlements faits pour ses navires par chaque Gouvernement en déterminent la nature, la quantité et les dimensions.

ART. 103.—Les prescriptions du chapitre I, du chapitre II (sections I, II et III), ainsi que du chapitre III du présent titre, seront affichées, sous la forme d'un règlement, dans la langue de la nationalité du navire ainsi que dans les principales langues des pays habités par les pèlerins à embarquer, en un endroit apparent et accessible, sur chaque pont et entrepont de tout navire transportant des pèlerins.

## SECTION II.—MESURES À PRENDRE AVANT LE DÉPART.

ART. 104.—Le capitaine ou, à défaut du capitaine, le propriétaire ou l'agent de tout navire à pèlerins est tenu de déclarer à l'autorité compétente du port de départ son

the remedies shall be furnished free of charge to the pilgrims.

ART. 100.—Every vessel embarking pilgrims shall have on board a physician holding a regular diploma and commissioned by the Government of the country to which the vessel belongs or by the Government of the port in which the vessel takes pilgrims on board. A second physician shall be embarked as soon as the number of pilgrims carried by the vessel exceeds one thousand.

ART. 101.—The captain shall be obliged to have handbills posted on board in a position which is conspicuous and accessible to those interested. They shall be in the principal languages of the countries inhabited by the pilgrims embarked, and show:

- 1<sup>st</sup>. The destination of the vessel.
- 2<sup>d</sup>. The price of the tickets.
- 3<sup>d</sup>. The daily ration of water and food allowed to each pilgrim.
- 4<sup>th</sup>. A price list of victuals not comprised in the daily ration and to be paid for extra.

ART. 102.—The heavy baggage of the pilgrims shall be registered, numbered, and placed in the hold. The pilgrims shall keep with them only such articles as are absolutely necessary, the regulations made by each Government for its vessels determining the nature, quantity, and dimensions thereof.

ART. 103.—The provisions of Chapters I, II (sections I, II, and III), and III of the present Title shall be posted, in the form of regulations, in the language of the nationality of the vessel as well as in the principal languages of the countries inhabited by the pilgrims embarked, in a conspicuous and accessible place on each deck and between decks on every vessel carrying pilgrims.

## SECTION II.—MEASURES TO BE TAKEN BEFORE DEPARTURE.

ART. 104.—At least three days before departure the captain, or in the absence of the captain the owner or agent, of every pilgrim ship must declare his intention to

Physicians.

Handbills in different languages to be posted.

Contents.

Baggage provisions.

General regulations to be posted.

Measures before departure.

Declaration of departure and destination.

intention d'embarquer des pèlerins, au moins trois jours avant le départ. Dans les ports d'escale, le capitaine ou, à défaut de capitaine, le propriétaire ou l'agent de tout navire à pèlerins est tenu de faire cette même déclaration douze heures avant le départ du navire. Cette déclaration doit indiquer le jour projeté pour le départ et la destination du navire.

Inspection, etc.

ART. 105.—A la suite de la déclaration prescrite par l'article précédent, l'autorité compétente fait procéder, aux frais du capitaine, à l'inspection et au mesurage du navire. L'autorité consulaire dont relève le navire peut assister à cette inspection.

Il est procédé seulement à l'inspection si le capitaine est déjà pourvu d'un certificat de mesurage délivré par l'autorité compétente de son pays, à moins qu'il n'y ait soupçon que le document ne réponde plus à l'état actuel du navire.<sup>1</sup>

Requirements before departure.

ART. 106.—L'autorité compétente ne permet le départ d'un navire à pèlerins qu'après s'être assurée:

Cleanliness of ship.

a) que le navire a été mis en état de propreté parfaite et, au besoin, désinfecté;

Proper equipment for safety, etc.

b) que le navire est en état d'entreprendre le voyage sans danger, qu'il est bien équipé, bien aménagé, bien aéré, pourvu d'un nombre suffisant d'embarcations, qu'il ne contient rien à bord qui soit ou puisse devenir nuisible à la santé ou à la sécurité des passagers, que le pont est en bois ou en fer recouvert de bois;

Provisions.

c) qu'il existe à bord, en sus de l'approvisionnement de l'équipage et convenablement arrimés, des vivres ainsi que du combustible, le tout de bonne qualité et

embark pilgrims to the competent authority of the port of departure. In ports of call the captain, or in the absence of the captain the owner or agent, of every pilgrim ship must make this same declaration twelve hours before the departure of the vessel. This declaration must indicate the intended day of sailing and the destination of the vessel.

ART. 105.—Upon the declaration prescribed by the preceding article being made, the competent authority shall proceed to the inspection and measurement of the vessel at the expense of the captain. The consular officer of the country to which the vessel belongs may be present at this inspection.

The inspection only shall be made if the captain is already provided with a certificate of measurement issued by the competent authority of his country, unless it is suspected that the document no longer corresponds to the actual state of the vessel.<sup>2</sup>

ART. 106.—The competent authority shall not permit the departure of a pilgrim ship until he has ascertained:

a) That the vessel has been put in a state of perfect cleanliness and, if necessary, disinfected.

b) That the vessel is in a condition to undertake the voyage without danger; that it is properly equipped, arranged, and ventilated; that it is provided with an adequate number of small boats; that it contains nothing on board which is or might become detrimental to the health or safety of the passengers, and that the deck is of wood or of iron covered with wood.

c) That, in addition to the provisions for the crew, there are provisions and fuel of good quality on board, suitably stored and in sufficient quantity for all the pil-

<sup>1</sup> L'autorité compétente est actuellement: dans les Indes anglaises un fonctionnaire (*officer*) désigné à cet effet par le Gouvernement local (*Native Passenger Ships Act, 1887, art. 7*);—dans les Indes néerlandaises, le maître du port;—en Turquie, l'autorité sanitaire;—en Autriche-Hongrie, l'autorité du port;—en Italie, le capitaine de port;—en France, en Tunisie et en Espagne, l'autorité sanitaire;—en Egypte, l'autorité sanitaire quarantenaire, etc.

<sup>2</sup> The competent authority is at present: In British India, an officer designated for this purpose by the local government (*Native Passenger Ships Act, 1887, Art. 7*); in Dutch India, the harbormaster; in Turkey, the health authority; in Austria-Hungary, the port authority; in Italy, the harbormaster; in France, Tunis, and Spain, the health authority; in Egypt, the quarantine and health authority, etc.

en quantité suffisante pour tous les pèlerins et pour toute la durée déclarée du voyage;

d) que l'eau potable embarquée est de bonne qualité et a une origine à l'abri de toute contamination; qu'elle existe en quantité suffisante; qu'à bord les réservoirs d'eau potable sont à l'abri de toute souillure et fermés de sorte que la distribution de l'eau ne puisse se faire que par les robinets ou les pompes. Les appareils de distribution dits "suoïrs" sont absolument interdits;

e) que le navire possède un appareil distillatoire pouvant produire une quantité d'eau de 5 litres au moins, par tête et par jour, pour toute personne embarquée, y compris l'équipage;

f) que le navire possède une étuve à désinfection dont la sécurité et l'efficacité auront été constatées par l'autorité sanitaire du port d'embarquement des pèlerins;

g) que l'équipage comprend un médecin diplômé et commissionné,<sup>2</sup> soit par le Gouvernement du pays auquel le navire appartient, soit par le Gouvernement du port où le navire prend des pèlerins, et que le navire possède des médicaments, le tout conformément aux articles 99 et 100;

h) que le pont du navire est dégagé de toutes marchandises et objets encombrants;

i) que les dispositions du navire sont telles que les mesures prescrites par la Section III ci-après peuvent être exécutées.

ART. 107.—Le capitaine ne peut partir qu'autant qu'il a en mains:

1° une liste visée par l'autorité compétente et indiquant le nom, le sexe et le nombre total des pèlerins qu'il est autorisé à embarquer;

2° une patente de santé constatant le nom, la nationalité et le tonnage du navire, le nom du capitaine, celui du médecin, le nombre exact des personnes em-

grims and for the entire anticipated duration of the voyage.

d) That the drinking water taken on board is of good quality and from a source protected against all contamination; that there is a sufficient quantity thereof; that the tanks of drinking water on board are protected against all contamination and closed in such a way that the water can only be let out through the stop cocks or pumps. The devices for letting water out called "suckers" are absolutely forbidden.

e) That the vessel has a distilling apparatus capable of producing at least 5 liters of water per head each day for every person embarked, including the crew.

f) That the vessel has a disinfecting chamber whose safety and efficiency have been ascertained by the health authority of the port of embarkation of the pilgrims.

g) That the crew comprises a physician holding a diploma and commissioned<sup>1</sup> either by the Government of the country to which the vessel belongs or by the Government of the port where the vessel takes on pilgrims, and that the vessel has a supply of medicines, all in conformity with articles 99 and 100.

h) That the deck of the vessel is free from all cargo and other incumbrances.

i) That the arrangements of the vessel are such that the measures prescribed by Section III herein-after may be executed.

ART. 107. The captain shall not sail until he has in his possession:

1. A list viséed by the competent authority and showing the name, sex, and total number of the pilgrims whom he is authorized to embark.

2. A bill of health setting forth the name, nationality, and tonnage of the vessel, the name of the captain and of the physician, the exact number of persons embarked

Good drinking water, etc.

Distilling apparatus.

Disinfecting chamber.

Physician, etc.

Unencumbered deck.

Other arrangements.

Post, p. 46.

Further requirements.

Viséed list of pilgrims.

Bill of health.

<sup>2</sup> Exception est faite pour les Gouvernements qui n'ont pas de médecins commissionnés.

<sup>1</sup> Exception is made for governments which have no commissioned physicians.



barquées (équipage, pèlerins et autres passagers), la nature de la cargaison, le lieu du départ.

L'autorité compétente indique sur la patente si le chiffre réglementaire des pèlerins est atteint ou non, et, dans le cas où il ne le serait pas, le nombre complémentaire des passagers que le navire est autorisé à embarquer dans les escales subséquentes.

(crew, pilgrims, and other passengers), the nature of the cargo, and the port of departure.

The competent authority shall indicate on the bill of health whether the number of pilgrims allowed by the regulations is reached or not, and, in case it is not reached, the additional number of passengers which the vessel is authorized to embark in subsequent ports of call.

Measures during passage.

**SECTION III.—MESURES À PRENDRE PENDANT LA TRAVERSÉE.**

**SECTION III.—MEASURES TO BE TAKEN DURING THE PASSAGE.**

Unencumbered deck.

ART. 108.—Le pont doit, pendant la traversée, rester dégagé des objets encombrants; il doit être réservé jour et nuit aux personnes embarquées et mis gratuitement à leur disposition.

ART. 108.—The deck shall remain free from encumbering objects during the voyage and shall be reserved day and night for the persons on board and be placed gratuitously at their service.

Daily cleansing of deck.

ART. 109.—Chaque jour, les entreponts doivent être nettoyés avec soin et frottés au sable sec, avec lequel on mélange des désinfectants, pendant que les pèlerins sont sur le pont.

ART. 109.—Every day the space between decks should be cleaned carefully and scrubbed with dry sand mixed with disinfectants while the pilgrims are on deck.

Disinfecting latrines.

ART. 110.—Les latrines destinées aux passagers, aussi bien que celles de l'équipage, doivent être tenues proprement, nettoyées et désinfectées trois fois par jour.

ART. 110.—The latrines intended for the passengers as well as those for the crew should be kept neat and be cleansed and disinfected three times a day.

Removal of excretions, etc.

ART. 111.—Les excréments et déjections des personnes présentant des symptômes de peste ou de choléra doivent être recueillis dans des vases contenant une solution désinfectante. Ces vases sont vidés dans les latrines, qui doivent être rigoureusement désinfectées après chaque projection de matières.

ART. 111.—The excretions and dejections of persons showing symptoms of plague or cholera shall be collected in vessels containing a disinfecting solution. These vessels shall be emptied into the latrines, which shall be thoroughly disinfected after each flushing.

Disinfecting bedding, etc.

ART. 112.—Les objets de literie, les tapis, les vêtements qui ont été en contact avec les malades visés dans l'article précédent doivent être immédiatement désinfectés. L'observation de cette règle est spécialement recommandée pour les vêtements des personnes qui approchent ces malades, et qui ont pu être souillés.

ART. 112.—Articles of bedding, carpets, and clothing which have been in contact with the patients mentioned in the preceding article shall be immediately disinfected. The observance of this rule is especially enjoined with regard to the clothing of persons who come near to these patients and who may have become contaminated.

Destruction, etc., if of no value.

Ceux des objets ci-dessus qui n'ont pas de valeur doivent être soit jetés à la mer, si le navire n'est pas dans un port ni dans un canal, soit détruits par le feu. Les autres doivent être portés à l'étuve dans des sacs imperméables lavés avec une solution désinfectante.

Such of the articles mentioned above as have no value shall be thrown overboard, if the vessel is neither in a port nor a canal, or else destroyed by fire. The others shall be carried to the disinfecting chamber in impermeable sacks washed with a disinfecting solution.

ART. 113.—Les locaux occupés par les malades, visés dans l'article 98, doivent être rigoureusement désinfectés.

ART. 114.—Les navires à pèlerins sont obligatoirement soumis à des opérations de désinfection conformes aux règlements en vigueur sur la matière dans le pays dont ils portent le pavillon.

ART. 115.—La quantité d'eau potable mise chaque jour gratuitement à la disposition de chaque pèlerin, quel que soit son âge, doit être d'au moins 5 litres.

ART. 116.—S'il y a doute sur la qualité de l'eau potable ou sur la possibilité de sa contamination, soit à son origine, soit au cours du trajet, l'eau doit être bouillie ou stérilisée autrement et le capitaine est tenu de la rejeter à la mer au premier port de relâche où il lui est possible de s'en procurer de meilleure.

ART. 117.—Le médecin visite les pèlerins, soigne les malades et veille à ce que, à bord, les règles de l'hygiène soient observées. Il doit notamment:

1° s'assurer que les vivres distribués aux pèlerins sont de bonne qualité, que leur quantité est conforme aux engagements pris, qu'ils sont convenablement préparés;

2° s'assurer que les prescriptions de l'article 115 relatif à la distribution de l'eau sont observées;

3° s'il y a doute sur la qualité de l'eau potable, rappeler par écrit au capitaine les prescriptions de l'article 116;

4° s'assurer que le navire est maintenu en état constant de propreté, et spécialement que les latrines sont nettoyées conformément aux prescriptions de l'article 110;

5° s'assurer que les logements des pèlerins sont maintenus salubres, et que, en cas de maladie transmissible, la désinfection est faite conformément aux articles 113 et 114;

ART. 113.—The quarters occupied by the patients and referred to in article 98 shall be thoroughly disinfected.

ART. 114.—Pilgrim ships shall be compelled to submit to disinfecting operations in conformity with the regulations in force on the subject in the country whose flag they fly.

ART. 115.—The quantity of drinking water allowed daily to each pilgrim free of charge, whatever be his age, shall be at least 5 liters.

ART. 116.—If there is any doubt about the quality of the drinking water or any possibility of its contamination either at the place of its origin or during the course of the voyage, the water shall be boiled or otherwise sterilized and the captain shall be obliged to throw it overboard at the first port in which a stop is made and in which he is able to procure a better supply.

ART. 117.—The physician shall examine the pilgrims, attend the patients, and see that the rules of hygiene are observed on board. He shall especially:

1<sup>st</sup>. Satisfy himself that the provisions dealt out to the pilgrims are of good quality, that their quantity is in conformity with the obligations assumed, and that they are suitably prepared.

2<sup>d</sup>. Satisfy himself that the requirements of article 115 relative to the distribution of water are observed.

3<sup>d</sup>. If there is any doubt about the quality of the drinking water, remind the captain in writing of the provisions of article 116.

4<sup>th</sup>. Satisfy himself that the vessel is maintained in a constant state of cleanliness, and especially that the latrines are cleansed in accordance with the provisions of article 110.

5<sup>th</sup>. Satisfy himself that the lodgings of the pilgrims are maintained in a healthful condition, and that, in case of transmissible disease, they are disinfected in conformity with articles 113 and 114.

Disinfecting infirmaries.

Art. 98, p. 42.

Disinfection of ships.

Water allowance.

Sterilizing doubtful water.

Duties of physician in charge.

6° tenir un journal de tous les incidents sanitaires survenus au cours du voyage et présenter ce journal à l'autorité compétente du port d'arrivée.

Restrictions on persons in charge of patients.

ART. 118.—Les personnes chargées de soigner les malades atteints de peste ou de choléra peuvent seules pénétrer auprès d'eux et ne doivent avoir aucun contact avec les autres personnes embarquées.

Deaths during voyage.

ART. 119.—En cas de décès survenu pendant la traversée, le capitaine doit mentionner le décès en face du nom sur la liste visée par l'autorité du port de départ, et, en outre, inscrire sur son livre de bord le nom de la personne décédée, son âge, sa provenance, la cause présumée de la mort d'après le certificat du médecin et la date du décès.

En cas de décès par maladie transmissible, le cadavre, préalablement enveloppé d'un suaire imprégné d'une solution désinfectante, doit être jeté à la mer.

Record of prophylactic measures on ship's journal, etc.

ART. 120.—Le capitaine doit veiller à ce que toutes les opérations prophylactiques exécutées pendant le voyage soient inscrites sur le livre de bord. Ce livre est présenté par lui à l'autorité compétente du port d'arrivée.

Dans chaque port de relâche, le capitaine doit faire viser par l'autorité compétente la liste dressée en exécution de l'article 107.

Article, p. 45.

Dans le cas où un pèlerin est débarqué en cours de voyage, le capitaine doit mentionner sur cette liste le débarquement en face du nom du pèlerin.

En cas d'embarquement, les personnes embarquées doivent être mentionnées sur cette liste conformément à l'article 107 précité et préalablement au visa nouveau que doit apposer l'autorité compétente.

Bill of health restrictions, etc.

ART. 121.—La patente délivrée au port de départ ne doit pas être changée au cours du voyage.

Elle est visée par l'autorité sanitaire de chaque port de relâche. Celle-ci y inscrit:

6<sup>th</sup>. Keep a diary of all the sanitary incidents occurring during the course of the voyage and present this diary to the competent authority of the port of arrival.

ART. 118.—The persons intrusted with the care of the plague or cholera patients shall alone have access to them and shall have no contact with the other persons on board.

ART. 119.—In case of a death occurring during the voyage, the captain shall make note of the death opposite the name on the list viséed by the authority of the port of departure, besides entering on his journal the name of the deceased person, his age, where he comes from, the presumable cause of his death according to the physician's certificate, and the date of the death.

In case of death by a transmissible disease, the body shall be wrapped in a shroud saturated with a disinfecting solution and thrown overboard.

ART. 120.—The captain shall see that all the prophylactic measures executed during the voyage are recorded in the ship's journal. This journal shall be presented by him to the competent authority of the port of arrival.

In each port of call the captain shall have the list prepared in accordance with article 107 viséed by the competent authority.

In case a pilgrim is landed during the course of the voyage, the captain shall note the fact on the list opposite the name of the pilgrim.

In case of an embarkation, the persons embarked shall be mentioned on this list in conformity with the aforementioned article 107 and before it is viséed again by the competent authority.

ART. 121.—The bill of health delivered at the port of departure shall not be changed during the course of the voyage.

It shall be viséed by the health authority of each port of call, who shall note thereon:

1° le nombre des passagers débarqués ou embarqués dans ce port;

2° les incidents survenus en mer et touchant à la santé ou à la vie des personnes embarquées;

3° l'état sanitaire du port de relâche.

1<sup>st</sup>. The number of passengers landed or embarked in the port.

2<sup>d</sup>. The incidents occurring at sea and affecting the health or life of the persons on board.

3<sup>d</sup>. The sanitary condition of the port of call.

**SECTION IV.—MESURES À PRENDRE À L'ARRIVÉE DES PÈLERINS DANS LA MER ROUGE.**

**SECTION IV.—MEASURES TO BE TAKEN ON THE ARRIVAL OF PILGRIMS IN THE RED SEA.**

Arrival of pilgrims in Red Sea.

*A. Régime sanitaire applicable aux navires à pèlerins musulmans venant d'un port contaminé et allant du Sud vers le Hedjaz.*

*A.—Sanitary measures applicable to mussulman-pilgrimships hailing from an infected port and bound from the South to Hedjaz.*

Sanitary measures.

**ART. 122.**—Les navires à pèlerins venant du Sud et se rendant au Hedjaz doivent, au préalable, faire escale à la station sanitaire de Camaran, et sont soumis au régime fixé par les articles 123 à 125.

**ART. 122.**—Pilgrim ships hailing from the south and bound for Hedjaz shall first stop at the sanitary station of Camaran, where they shall be subjected to the measures prescribed in articles 123 to 125.

Ships from the south bound for Hedjaz.

**ART. 123.**—Les navires reconnus indemnes après visite médicale reçoivent libre pratique, lorsque les opérations suivantes sont terminées:

**ART. 123.**—Vessels recognized as *uninfected* after a medical inspection shall obtain pratique when the following operations are completed:

Uninfected vessels.

Les pèlerins sont débarqués; ils prennent une douche-lavage ou un bain de mer; leur linge sale, la partie de leurs effets à usage et de leurs bagages qui peut être suspecte, d'après l'appréciation de l'autorité sanitaire, sont désinfectés; la durée de ces opérations, en y comprenant le débarquement et l'embarquement, ne doit pas dépasser quarante-huit heures.

The pilgrims shall be landed, take a shower or sea bath, and their soiled linen and the part of their wearing apparel and baggage which appears suspicious in the opinion of the health authority shall be disinfected. The duration of these operations, including debarkation and embarkation, shall not exceed forty-eight hours.

Si aucun cas avéré ou suspect de peste ou de choléra n'est constaté pendant ces opérations, les pèlerins seront réembarqués immédiatement et le navire se dirigera vers le Hedjaz.

If no real or suspected case of plague or cholera is discovered during these operations, the pilgrims shall be reembarked immediately and the vessel shall proceed toward Hedjaz.

Pour la peste, les prescriptions de l'article 24 et de l'article 25 sont appliquées en ce qui concerne les rats pouvant se trouver à bord des navires.

For plague, the provisions of articles 23 and 24 shall be applied with regard to the rats which may be found on board the vessels.

Ante, p. 18.

**ART. 124.**—Les navires *suspects*, à bord desquels il y a eu des cas de peste ou de choléra au moment du départ, mais aucun cas nouveau de peste ou de choléra depuis sept jours, sont traités de la manière suivante:

**ART. 124.**—*Suspicious* vessels on board of which there were cases of plague or cholera at the time of departure but on which there has been no new case of plague or cholera for seven days, shall be treated in the following manner:

Suspected vessels.

Les pèlerins sont débarqués; ils prennent une douche-lavage ou un bain de mer; leur linge sale, la partie de leurs effets à usage et de leurs bagages qui peut être suspecte, d'après l'appréciation de l'autorité sanitaire, sont désinfectés.

En temps de choléra, l'eau de la cale est changée.

Les parties du navire habitées par les malades sont désinfectées. La durée de ces opérations, en y comprenant le débarquement et l'embarquement, ne doit pas dépasser quarante-huit heures.

Second medical inspection at Djeddah.

Si aucun cas avéré ou suspect de peste ou de choléra n'est constaté pendant ces opérations, les pèlerins sont réembarqués immédiatement, et le navire est dirigé sur Djeddah, où une seconde visite médicale a lieu à bord. Si son résultat est favorable, et sur le vu de la déclaration écrite des médecins du bord certifiant, sous serment, qu'il n'y a pas eu de cas de peste ou de choléra pendant la traversée, les pèlerins sont immédiatement débarqués.

Discovery of plague, etc., during voyage.

Si, au contraire, un ou plusieurs cas avérés ou suspects de peste ou de choléra ont été constatés pendant le voyage ou au moment de l'arrivée, le navire est renvoyé à Camaran, où il subit de nouveau le régime des navires infectés.

Destruction of rats. *Ante*, p. 17.

Pour la peste, les prescriptions de l'article 22, 6°, sont appliquées en ce qui concerne les rats pouvant se trouver à bord des navires.

Treatment of infected ships.

ART. 125.—Les navires *infectés*, c'est-à-dire ayant à bord des cas de peste ou de choléra, ou bien ayant présenté des cas de peste ou de choléra depuis sept jours, subissent le régime suivant:

Les personnes atteintes de peste ou de choléra sont débarquées et isolées à l'hôpital. Les autres passagers sont débarqués et isolés par groupes composés de personnes aussi peu nombreuses que possible, de manière que l'ensemble ne soit pas solidaire d'un groupe particulier si la peste ou le choléra venaient à s'y développer.

Le linge sale, les objets à usage, les vêtements de l'équipage et des

The pilgrims shall be landed; take a shower or sea bath, and their soiled linen and the part of their wearing apparel and baggage which appears suspicious in the opinion of the health authority shall be disinfected.

In time of cholera the bilge water shall be changed.

The parts of the vessel occupied by the patients shall be disinfected. The duration of these operations, including debarkation and embarkation, shall not exceed forty-eight hours.

If no real or suspected case of plague or cholera is discovered during these operations, the pilgrims shall be reembarked immediately and the vessel shall proceed to Djeddah, where a second medical inspection shall take place on board. If the result thereof is favorable, and on the strength of a written affidavit by the ship's physician to the effect that there has been no case of plague or cholera during the passage, the pilgrims shall be immediately landed.

If, on the contrary, one or more real or suspected cases of plague or cholera have been discovered during the voyage or at the time of arrival, the vessel shall be sent back to Camaran, where it shall undergo anew the measures applicable to infected vessels.

For plague, the provisions of article 22, 6th par., shall be applicable with regard to the rats which may be found on board the vessels.

ART. 125.—*Infected vessels*, that is, those having cases of plague or cholera on board or having had cases of plague or cholera within seven days, shall undergo the following treatment:

The persons stricken with plague or cholera shall be landed and isolated in groups comprising as few persons as possible, so that the whole number may not be infected by a particular group if plague or cholera should develop therein.

The soiled linen, wearing apparel, and clothing of the crew

passagers sont désinfectés ainsi que le navire. La désinfection est pratiquée d'une façon complète.

Toutefois, l'autorité sanitaire locale peut décider que le déchargement des gros bagages et des marchandises n'est pas nécessaire, et qu'une partie seulement du navire doit subir la désinfection.

Les passagers restent cinq jours à l'établissement de Camaran. Lorsque les cas de peste ou de choléra remontent à plusieurs jours, la durée de l'isolement peut être diminuée. Cette durée peut varier selon l'époque de l'apparition du dernier cas et d'après la décision de l'autorité sanitaire.

Le navire est dirigé ensuite sur Djeddah, où est faite une visite médicale individuelle et rigoureuse. Si son résultat est favorable, le navire reçoit la libre pratique. Si, au contraire, des cas avérés de peste ou de choléra se sont montrés à bord pendant le voyage ou au moment de l'arrivée, le navire est renvoyé à Camaran, où il subit de nouveau le régime des navires infectés.

Pour la peste, le régime prévu par l'article 22 est appliqué en ce qui concerne les rats pouvant se trouver à bord des navires.

ART. 126.—Toute station sanitaire destinée à recevoir des pèlerins doit être pourvue d'un personnel instruit, expérimenté et suffisamment nombreux, ainsi que de toutes les constructions et installations matérielles nécessaires pour assurer l'application, dans leur intégralité, des mesures auxquelles lesdits pèlerins sont assujettis.

B. *Régime sanitaire applicable aux navires à pèlerins musulmans venant du Nord et allant vers le Hedjaz.*

ART. 127.—Si la présence de la peste ou du choléra n'est pas constatée dans le port de départ ni dans ses environs, et qu'aucun cas de peste ou de choléra ne se soit produit pendant la traversée, le navire est immédiatement admis à la libre pratique.

and passengers, as well as the vessel, shall be disinfected in a thorough manner.

However, the local health authority may decide that the discharge of the heavy baggage and the cargo is not necessary, and that only a part of the vessel need be disinfected.

The passengers shall remain in the Camaran establishment five days. When cases of plague or cholera date back several days, the length of the isolation may be diminished. This length may vary according to the date of appearance of the last case and the decision of the health authority.

The vessel shall then proceed to Djeddah, where an individual and rigorous medical examination shall be made. If the result thereof is favorable, the vessel shall obtain pratique. If, on the contrary, real cases of plague or cholera have appeared on board during the voyage or at the time of arrival, the vessel shall be sent back to Camaran, where it shall undergo anew the treatment applicable to infected vessels.

For plague, the measures prescribed by article 22 shall be applied with regard to the rats which may be found on board the vessels.

ART. 126.—Every sanitary station designed to receive pilgrims should be provided with a trained, experienced, and sufficiently numerous staff, as well as with all the buildings and apparatus necessary to insure the application, in their entirety, of the measures to which said pilgrims are subject.

B. *Sanitary measures applicable to mussulman-pilgrim ships hailing from the North and bound toward Hedjaz.*

ART. 127.—If plague or cholera is not known to exist in the port of departure or its neighborhood, and if no case of plague or cholera has occurred during the passage, the vessel shall be immediately granted pratique.

Detention of passengers at Camaran.

Medical inspection at Djeddah.

Destruction of rats. *Ante*, p. 17.

Sanitary station requirements.

Mussulman-pilgrim ships from the north.

Sanitary measures.

Inspection, etc., at Tor.

ART. 128.—Si la présence de la peste ou du choléra est constatée dans le port de départ ou dans ses environs, ou si un cas de peste ou de choléra s'est produit pendant la traversée, le navire est soumis, à El-Tor, aux règles instituées pour les navires qui viennent du Sud et qui s'arrêtent à Camaran. Les navires sont ensuite reçus en libre pratique.

ART. 128.—If plague or cholera is known to exist in the port of departure or its vicinity, or if a case of plague or cholera has occurred during the voyage, the vessel shall be subjected at Tor to the rules established for vessels coming from the south and stopping at Camaran. The vessels shall thereupon be granted pratique.

Return of pilgrims.

SECTION V.—MESURES À PRENDRE.  
AU RETOUR DES PÈLERINS.

SECTION V.—MEASURES TO BE  
TAKEN UPON THE RETURN OF  
PILGRIMS.

Ships returning northward.

A. Navires à pèlerins retournant vers le Nord.

A. Pilgrim ships returning northward.

To report at Tor for observation, etc.

ART. 129.—Tout navire à destination de Suez ou d'un port de la Méditerranée, ayant à bord des pèlerins ou masses analogues, et provenant d'un port du Hedjaz ou de tout autre port de la côte arabe de la Mer Rouge, est tenu de se rendre à El-Tor pour y subir l'observation et les mesures sanitaires indiquées dans les articles 133 à 135.

ART. 129.—Every vessel bound for Suez or for a Mediterranean port, having on board pilgrims or similar masses of persons, and hailing from a port of Hedjaz or from any other port on the Arabian coast of the Red Sea, must repair to Tor in order to undergo there the observation and the sanitary measures indicated in articles 133 and 135.

Passing through Canal in quarantine.

ART. 130.—Les navires ramenant les pèlerins musulmans vers la Méditerranée ne traversent le Canal qu'en quarantaine.

ART. 130.—Vessels bringing Mussulman pilgrims back toward the Mediterranean shall pass through the canal in quarantine only.

Egyptian pilgrims may be landed at Tor.

ART. 131.—Les agents des compagnies de navigation et les capitaines sont prévenus qu'après avoir fini leur observation à la station sanitaire de El-Tor, les pèlerins égyptiens seront seuls autorisés à quitter définitivement le navire pour rentrer ensuite dans leurs foyers.

ART. 131.—The agents of navigation companies and captains are warned that, after completing their observation period at the sanitary station of Tor, the Egyptian pilgrims will alone be permitted to leave the vessel permanently in order to return thereupon to their homes.

Conditions.

Ne seront reconnus comme Égyptiens ou résidant en Égypte que les pèlerins porteurs d'une carte de résidence émanant d'une autorité égyptienne et conforme au modèle établi. Des exemplaires de cette carte seront déposés auprès des autorités consulaires et sanitaires de Djeddah et de Yambo, où les agents et capitaines de navires pourront les examiner.

Only those pilgrims will be recognized as Egyptians or as residents of Egypt who are provided with a certificate of residence issued by an Egyptian authority and conforming to the established model. Samples of this certificate shall be deposited with the consular and health authorities of Djeddah and Yambo, where the agents and captains of vessels can examine them.

Other pilgrims.

Les pèlerins non égyptiens, tels que les Turcs, les Russes, les Persans, les Tunisiens, les Algériens, les Marocains, etc., ne peuvent, après avoir quitté El-Tor, être

Pilgrims other than Egyptians, such as Turks, Russians, Persians, Tunisians, Algerians, Moroccans, etc., can not be landed in an Egyptian port after leaving Tor.

débarqués dans un port égyptien. En conséquence, les agents de navigation et les capitaines sont prévenus que le transbordement des pèlerins étrangers à l'Égypte soit à Tor, soit à Suez, à Port-Saïd ou à Alexandrie, est interdit.

Les bateaux qui auraient à leur bord des pèlerins appartenant aux nationalités dénommées dans l'alinéa précédent suivront la condition de ces pèlerins et ne seront reçus dans aucun port égyptien de la Méditerranée.

ART. 132.—Les pèlerins égyptiens subissent, soit à El-Tor, soit à Souakim, ou dans toute autre station désignée par le Conseil sanitaire d'Égypte, une observation de trois jours et une visite médicale avant d'être admis en libre pratique.

ART. 133.—Si la présence de la peste ou du choléra est constatée au Hedjaz ou dans le port d'où provient le navire, ou l'a été au Hedjaz au cours du pèlerinage, le navire est soumis, à El-Tor, aux règles instituées à Camaran pour les navires infectés.

Les personnes atteintes de peste ou de choléra sont débarquées et isolées à l'hôpital. Les autres passagers sont débarqués et isolés par groupes composés de personnes aussi peu nombreuses que possible, de manière que l'ensemble ne soit pas solidaire d'un groupe particulier, si la peste ou le choléra venait à s'y développer.

Le linge sale, les objets à usage, les vêtements de l'équipage et des passagers, les bagages et les marchandises suspectes d'être contaminées sont débarqués pour être désinfectés. Leur désinfection et celle du navire sont pratiquées d'une façon complète.

Toutefois, l'autorité sanitaire locale peut décider que le déchargement des gros bagages et des marchandises n'est pas nécessaire, et qu'une partie seulement du navire doit subir la désinfection.

Le régime prévu par les articles 22 et 25 est appliqué en ce qui concerne les rats qui pourraient se trouver à bord.

Consequently, navigation agents and captains are warned that the transshipment of pilgrims not residents of Egypt at Tor, Suez, Port Said, or Alexandria is forbidden.

Vessels having pilgrims on board who belong to the nationalities mentioned in the foregoing paragraph shall be subject to the rules applicable to these pilgrims and shall not be received in any Egyptian port of the Mediterranean.

ART. 132.—Before being granted pratique, Egyptian pilgrims shall undergo an observation of three days and a medical examination at Tor, Souakim, or any other station designated by the Board of Health of Egypt.

Medical examination of Egyptian pilgrims.

ART. 133.—If plague or cholera is known to exist in Hedjaz or in the port from which the vessel hails, or if it has existed in Hedjaz during the course of the pilgrimage, the vessel shall be subjected at Tor to the rules adopted at Camaran for infected vessels.

Cholera, etc., in Hedjaz, etc.

The persons stricken with plague or cholera shall be landed and isolated in the hospitals. The other passengers shall be landed and isolated in groups composed of as few persons as possible, so that the whole number may not be infected by a particular group if the plague or cholera should develop therein.

Treatment of patients, etc.

The soiled linen, wearing apparel, and clothing of the crew and passengers, as well as the baggage and cargo suspected of contamination shall be landed and disinfected. Their disinfection as well as that of the vessel shall be thorough.

However, the local health authority may decide that the unloading of the heavy baggage and the cargo is not necessary, and that only a part of the vessel need undergo disinfection.

The measures provided in articles 22 and 25 shall be applied with regard to the rats which may be found on board.

Destruction of rats. *Annex*, pp. 17, 19.



Seven-day observation of all pilgrims.

Tous les pèlerins sont soumis, à partir du jour où ont été terminées les opérations de désinfection, à une observation de sept jours pleins, qu'il s'agisse de peste ou de choléra. Si un cas de peste ou de choléra s'est produit dans une section, la période de sept jours ne commence pour cette section qu'à partir du jour où le dernier cas a été constaté.

Additional for Egyptian pilgrims.

ART. 134.—Dans le cas prévu par l'article précédent, les pèlerins égyptiens subissent en outre une observation supplémentaire de trois jours.

If no cholera, etc., in Hedjaz, etc.

ART. 135.—Si la présence de la peste ou du choléra n'est constatée ni au Hedjaz, ni au port d'où provient le navire, et ne l'a pas été au Hedjaz au cours du pèlerinage, le navire est soumis à El-Tor aux règles instituées à Camaran pour les navires indemnes.

Art., p. 40.

Treatment of pilgrims.

Les pèlerins sont débarqués; ils prennent une douche-lavage ou un bain de mer; leur linge sale ou la partie de leurs effets à usage et de leurs bagages qui peut être suspecte, d'après l'appréciation de l'autorité sanitaire, sont désinfectés. La durée de ces opérations, y compris le débarquement et l'embarquement, ne doit pas dépasser soixante-douze heures.

Passage of uninfected ships through Suez Canal.

Toutefois, un navire à pèlerins, appartenant à une des nations ayant adhéré aux stipulations de la présente Convention et des Conventions antérieures, s'il n'a pas eu de malades atteints de peste ou de choléra en cours de route de Djeddah à Yambo et à El-Tor, et si la visite médicale individuelle, faite à El-Tor après débarquement, permet de constater qu'il ne contient pas de tels malades, peut être autorisé, par le Conseil sanitaire d'Égypte, à traverser en quarantaine le Canal de Suez, même la nuit, lorsque sont réunies les quatre conditions suivantes:

Conditions.

1° le service médical est assuré à bord par un ou plusieurs médecins commissionnés par le Gouvernement auquel appartient le navire;

All the pilgrims shall be subjected to an observation of seven full days from the day on which the disinfecting operations are completed, whether it be a question of plague or of cholera. If a case of plague or cholera has appeared in one section, the period of seven days shall not begin for this section until the day on which the last case was discovered.

ART. 134.—In the case contemplated in the preceding article, the Egyptian pilgrims shall be subjected, besides, to an additional observation of three days.

ART. 135.—If plague or cholera is not known to exist either in Hedjaz or in the port from which the vessel sails, and has not been known to exist in Hedjaz during the course of the pilgrimage, the vessel shall be subjected at Tor to the rules adopted at Camaran for uninfected vessels.

The pilgrims shall be landed and take a shower or sea bath, and their soiled linen or the part of their wearing apparel and baggage which may appear suspicious in the opinion of the health authority shall be disinfected. The duration of these operations, including the debarkation and embarkation, shall not exceed seventy-two hours.

However, a pilgrim ship belonging to one of the nations which have adhered to the stipulations of the present and the previous conventions, if it has had no plague or cholera patients during the course of the voyage from Djeddah to Yambo or Tor and if the individual medical examination made at Tor after debarkation establishes the fact that it contains no such patients, may be authorized by the Board of Health of Egypt to pass through the Suez Canal in quarantine even at night when the following four conditions are fulfilled:

1°. Medical attendance shall be given on board by one or several physicians commissioned by the governments to which the vessel belongs.

2° le navire est pourvu d'étuves à désinfection, et il est constaté que le linge sale a été désinfecté en cours de route;

3° il est établi que le nombre des pèlerins n'est pas supérieur à celui autorisé par les règlements du pèlerinage;

4° le capitaine s'engage à se rendre directement dans un des ports du pays auquel appartient le navire.

La visite médicale après débarquement à El-Tor doit être faite dans le moindre délai possible.

La taxe sanitaire payée à l'Administration quarantenaire est la même que celle qu'auraient payée les pèlerins s'ils étaient restés trois jours en quarantaine.

ART. 136.—Le navire qui, pendant la traversée de El-Tor à Suez, aurait eu un cas suspect à bord, sera repoussé à El-Tor.

ART. 137.—Le transbordement des pèlerins est strictement interdit dans les ports égyptiens.

ART. 138.—Les navires partant du Hedjaz et ayant à leur bord des pèlerins à destination d'un port de la côte africaine de la Mer Rouge sont autorisés à se rendre directement à Souakim, ou en tel autre endroit que le Conseil sanitaire d'Alexandrie décidera, pour y subir le même régime quarantenaire qu'à El-Tor.

ART. 139.—Les navires venant du Hedjaz ou d'un port de la côte arabique de la Mer Rouge avec patente nette, n'ayant pas à bord des pèlerins ou masses analogues et qui n'ont pas eu d'accident suspect durant la traversée, sont admis en libre pratique à Suez, après visite médicale favorable.

ART. 140.—Lorsque la peste ou le choléra aura été constaté au Hedjaz:

1° les caravanes composées de pèlerins égyptiens doivent, avant de se rendre en Egypte, subir une quarantaine de rigueur à El-Tor, de sept jours en cas de choléra ou de peste; elles doivent ensuite subir à El-Tor une observation de trois jours après laquelle elles ne

2°. The vessel shall be provided with disinfecting chambers and it shall be ascertained that the soiled linen has been disinfected during the course of the voyage.

3°. It shall be shown that the number of pilgrims does not exceed that authorized by the pilgrimages regulations.

4°. The captain shall bind himself to repair directly to a port of the country to which the vessel belongs.

The medical examination shall be made as soon as possible after debarkation at Tor.

The sanitary tax to be paid to the quarantine administration shall be the same as the pilgrims would have paid had they remained in quarantine three days.

ART. 136.—A vessel which has had a suspicious case on board during the voyage from Tor to Suez shall be sent back to Tor.

ART. 137.—The transshipment of pilgrims is strictly forbidden in Egyptian ports.

ART. 138.—Vessels leaving Hedjaz and having on board pilgrims who are bound for a port on the African shore of the Red Sea shall be authorized to proceed directly to Souakim or to such other place as the Board of Health of Alexandria may determine, where they shall submit to the same quarantine procedure as at Tor.

ART. 139.—Vessels sailing from Hedjaz or from a port on the Arabian coast of the Red Sea with a clean bill of health, having no pilgrims or similar groups of people on board, and which have had no suspicious occurrence during the voyage, shall be granted pratique at Suez after a favorable medical inspection.

ART. 140.—When plague or cholera shall have been proven to exist in Hedjaz:

1°. Caravans composed of Egyptian pilgrims shall, before going to Egypt, undergo at Tor a rigid quarantine of seven days in case of cholera or plague. They shall then undergo an observation of three days at Tor, after which they shall not be granted pratique

Suspected ships sent back to Tor.

Transshipment of pilgrims forbidden.

Pilgrims for African shore of Red Sea.

Uninfected ships without pilgrims from Hedjaz, etc.

Inspection, etc., of caravans. When plague, etc., in Hedjaz.

Egyptian pilgrims.

sont admises en libre pratique qu'après visite médicale favorable et désinfection des effets;

Foreign pilgrims returning by land.

2<sup>o</sup> les caravanes composées de pèlerins étrangers devant se rendre dans leurs foyers par la voie de terre sont soumises aux mêmes mesures que les caravanes égyptiennes et doivent être accompagnées par des gardes sanitaires jusqu'aux limites du désert.

If no plague, etc., exists.

ART. 141.—Lorsque la peste ou le choléra n'a pas été signalé au Hedjaz, les caravanes de pèlerins venant du Hedjaz par le route de Akaba ou de Moïla sont soumises, à leur arrivée au Canal ou à Nakhel, à la visite médicale et à la désinfection du linge sale et des effets à usage.

Pilgrims returning southward.

*B. Pèlerins retournant vers le Sud.*

Sanitary arrangements.

ART. 142.—Il y aura dans les ports d'embarquement du Hedjaz des installations sanitaires assez complètes pour qu'on puisse appliquer aux pèlerins qui doivent se diriger vers le Sud pour rentrer dans leur pays les mesures qui sont obligatoires, en vertu des articles 10 et 54, au moment du départ de ces pèlerins dans les ports situés au delà du détroit de Bab-el-Mandeb.

*Annex, pp. 12, 27.*

Application thereof optional.

L'application de ces mesures est facultative, c'est-à-dire qu'elles ne sont appliquées que dans les cas où l'autorité consulaire du pays auquel appartient le pèlerin, ou le médecin du navire à bord duquel il va s'embarquer, les juge nécessaires.

### CHAPITRE III.

Penalties imposed on captains.

#### PÉNALTIES.

Failing to distribute water, provisions, or fuel.

ART. 143.—Tout capitaine convaincu de ne pas s'être conformé, pour la distribution de l'eau, des vivres ou du combustible, aux engagements pris par lui, est passible d'une amende de 2 livres turques.<sup>1</sup> Cette amende est perçue au profit du pèlerin qui aurait été victime

<sup>1</sup> La livre turque vaut 22 fr. 50.

until a favorable medical inspection has been made and their belongings have been disinfected.

2<sup>d</sup>. Caravans composed of foreign pilgrims who are about to return to their homes by land routes shall be subjected to the same measures as the Egyptian caravans and shall be accompanied by sanitary guards to the edge of the desert.

ART. 141.—When plague or cholera has not been observed in Hedjaz, the caravans of pilgrims coming from Hedjaz by way of Akaba or Moila shall, upon their arrival at the canal or at Nakhel, be subjected to a medical examination and their soiled linen and wearing apparel shall be disinfected.

*B. Pilgrims returning southward.*

ART. 142.—Sufficiently complete sanitary arrangements shall be installed in the ports of embarkation of Hedjaz in order to render possible the application to pilgrims who have to travel southward in order to return to their homes, of the measures which are obligatory by virtue of articles 10 and 54 at the moment of departure of these pilgrims in the ports situated beyond the Straits of Bab-el-Mandeb.

The application of these measures is optional; that is, they are only to be applied in those cases in which the consular officer of the country to which the pilgrim belongs, or the physician of the vessel on which he is about to embark, deems them necessary.

### CHAPTER III.

#### Penalties.

ART. 143.—Every captain convicted of not having conformed, in the distribution of water, provisions, or fuel, to the obligations assumed by him, shall be liable to a fine of two Turkish pounds.<sup>1</sup> This fine shall be collected for the benefit of the pilgrim who shall

<sup>1</sup> The Turkish pound is worth 22 francs and 50 centimes.

du manquement et qui établirait qu'il a en vain réclamé l'exécution de l'engagement pris.

ART. 144.—Toute infraction à l'article 101 est punie d'une amende de 30 livres turques.

ART. 145.—Tout capitaine qui a commis ou qui a sciemment laissé commettre une fraude quelconque concernant la liste des pèlerins ou la patente sanitaire, prévues à l'article 107, est passible d'une amende de 50 livres turques.

ART. 146.—Tout capitaine de navire arrivant sans patente sanitaire du port de départ, ou sans visa des ports de relâche, ou non muni de la liste réglementaire et régulièrement tenue suivant les articles 107, 120 et 121, est passible, dans chaque cas, d'une amende de 12 livres turques.

ART. 147.—Tout capitaine convaincu d'avoir ou d'avoir eu à bord plus de cent pèlerins sans la présence d'un médecin commissionné, conformément aux prescriptions de l'article 100, est passible d'une amende de 300 livres turques.

ART. 148.—Tout capitaine convaincu d'avoir ou d'avoir eu à son bord un nombre de pèlerins supérieur à celui qu'il est autorisé à embarquer, conformément aux prescriptions de l'article 107, est passible d'une amende de 5 livres turques par chaque pèlerin en surplus.

Le débarquement des pèlerins dépassant le nombre régulier est effectué à la première station où réside une autorité compétente, et le capitaine est tenu de fournir aux pèlerins débarqués l'argent nécessaire pour poursuivre leur voyage jusqu'à destination.

ART. 149.—Tout capitaine convaincu d'avoir débarqué des pèlerins dans un endroit autre que celui de leur destination, sauf leur consentement ou hors le cas de force majeure, est passible d'une amende de 20 livres turques par chaque pèlerin débarqué à tort.

have been the victim of the default, and who shall prove that he has vainly demanded the execution of the agreement made.

ART. 144.—Every infraction of article 101 shall be punished by a fine of thirty Turkish pounds.

ART. 145.—Every captain who has committed or knowingly permitted any fraud whatever concerning the list of pilgrims or the bill of health provided for in article 107 shall be liable to a fine of fifty Turkish pounds.

ART. 146.—Every captain of a vessel arriving without a bill of health from the port of departure, or without a visé from the ports of call, or who is not provided with the list required by the regulations and regularly kept in accordance with articles 107, 120, and 121, shall be liable in each case to a fine of twelve Turkish pounds.

ART. 147.—Every captain convicted of having or having had on board more than 100 pilgrims without the presence of a commissioned physician in conformity with the provisions of article 100 shall be liable to a fine of thirty Turkish pounds.

ART. 148.—Every captain convicted of having or having had on board a greater number of pilgrims than that which he is authorized to embark in conformity with the provisions of article 107 shall be liable to a fine of five Turkish pounds for each pilgrim in excess.

The pilgrims in excess of the regular number shall be landed at the first station at which a competent authority resides, and the captain shall be obliged to furnish the landed pilgrims with the money necessary to pursue their voyage to their destination.

ART. 149.—Every captain convicted of having landed pilgrims at a place other than their destination, except with their consent or excepting cases of *vis major*, shall be liable to a fine of twenty Turkish pounds for each pilgrim wrongfully landed.

Falling to post hand-bills.  
Ante, p. 43.

Fraudulent bill of health.

Ante, p. 45.

Arriving without bill of health, etc.

Ante, pp. 45, 48.

Carrying pilgrims without physician.

Ante, p. 43.

Carrying excess of pilgrims.

Ante, p. 45.

Disposition of excess.

Landing pilgrims at other than place of destination.

For other infractions.

ART. 150.—Toutes autres infractions aux prescriptions relatives aux navires à pèlerins sont punies d'une amende de 10 à 100 livres turques.

Infractions to be noted on bill of health, etc.

ART. 151.—Toute contravention constatée en cours de voyage est annotée sur la patente de santé, ainsi que sur la liste des pèlerins. L'autorité compétente en dresse procès-verbal pour le remettre à qui de droit.

Punishment of agents.

ART. 152.—Tous les agents appelés à concourir à l'exécution des prescriptions de la présente Convention en ce qui concerne les navires à pèlerins sont passibles de punitions conformément aux lois de leurs pays respectifs en cas de fautes commises par eux dans l'application desdites prescriptions.

ART. 150.—All other infractions of the provisions relative to pilgrim ships are punishable by a fine of from 10 to 100 Turkish pounds.

ART. 151.—Every violation proven in the course of a voyage shall be noted on the bill of health as well as on the list of pilgrims. The competent authority shall draw up a report thereof and deliver it to the proper party.

ART. 152.—All agents called upon to assist in the execution of the provisions of the present Convention with regard to pilgrim ships are liable to punishment in conformity with the laws of their respective countries in case of faults committed by them in the application of the said provisions.

#### TITRE IV.

#### TITLE IV.

Surveillance and execution.

#### SURVEILLANCE ET EXÉCUTION.

#### SURVEILLANCE AND EXECUTION.

Sanitary, Maritime, and Quarantine Board of Egypt.

#### I.—CONSEIL SANITAIRE, MARITIME ET QUARANTENAIRE D'ÉGYPTÉ.

#### I. SANITARY, MARITIME, AND QUARANTINE BOARD OF EGYPT.

Stipulations confirmed.

ART. 153.—Sont confirmées les stipulations de l'annexe III de la Convention sanitaire de Venise du 30 janvier 1892, concernant la composition, les attributions et le fonctionnement du Conseil sanitaire, maritime et quarantenaire d'Égypte, telles qu'elles résultent des décrets de S. A. le Khédive en date du 19 juin 1893 et du 25 décembre 1894, ainsi que de l'arrêté ministériel du 19 juin 1893.

ART. 153.—The stipulations of Appendix III of the Sanitary Convention of Venice of January 30, 1892, concerning the composition, rights and duties, and operation of the Sanitary, Maritime, and Quarantine Board of Egypt, are confirmed as they appear in the decrees of His Highness the Khedive under date of June 19, 1893, and December 25, 1894, as well as in the ministerial decision of June 19, 1893.

Post, p. 66.

Lesdits décrets et arrêté demeurent annexés à la présente Convention (Annexe II).

The said decrees and decision are annexed to the present convention. (Appendix II.)

Payment of ordinary expenses.

ART. 154.—Les dépenses ordinaires résultant des dispositions de la présente Convention relatives notamment à l'augmentation du personnel relevant du Conseil sanitaire, maritime et quarantenaire d'Égypte, seront couvertes, à l'aide d'un versement annuel complémentaire par le Gouvernement égyptien, d'une somme de quatre mille livres égyptiennes, qui pourrait être prélevée sur l'excédent du service des phares resté à la disposition de ce Gouvernement.

ART. 154.—The ordinary expenses resulting from the provisions of the present convention, especially those relating to the increase of the personnel belonging to the Sanitary, Maritime, and Quarantine Board of Egypt, shall be covered by means of an annual supplementary payment by the Egyptian Government of the sum of 4,000 Egyptian pounds, which may be taken from the surplus revenues from the lighthouse service remaining at the disposal of said Government.

Toutefois il sera déduit de cette somme le produit d'une taxe quarantenaire supplémentaire de 10 P. T. (piastres tarif) par pèlerin, à prélever à El-Tor.

Au cas où le Gouvernement égyptien verrait des difficultés à supporter cette part dans les dépenses, les Puissances représentées au Conseil sanitaire s'entendraient avec le Gouvernement khédivial pour assurer la participation de ce dernier aux dépenses prévues.

ART. 155.—Le Conseil sanitaire, maritime et quarantenaire d'Égypte est chargé de mettre en concordance avec les dispositions de la présente Convention les règlements actuellement appliqués par lui concernant la peste, le choléra et la fièvre jaune, ainsi que le règlement relatif aux provenances des ports arabiques de la Mer Rouge, à l'époque du pèlerinage.

Il revisera, s'il y a lieu, dans le même but, le règlement général de police sanitaire, maritime et quarantenaire présentement en vigueur.

Ces règlements, pour devenir exécutoires, doivent être acceptés par les diverses Puissances représentées au Conseil.

## II.—CONSEIL SANITAIRE INTERNATIONAL DE TANGER.

ART. 156.—Dans l'intérêt de la santé publique, les Hautes Parties Contractantes conviennent que leurs Représentants au Maroc appelleront de nouveau l'attention du Conseil sanitaire international de Tanger sur la nécessité d'appliquer les stipulations des Conventions sanitaires.

## III.—DISPOSITIONS DIVERSES.

ART. 157.—Le produit des taxes et des amendes sanitaires ne peut, en aucun cas, être employé à des objets autres que ceux relevant des Conseils sanitaires.

ART. 158.—Les Hautes Parties Contractantes s'engagent à faire rédiger par leurs Administrations sanitaires une instruction destinée

However, the proceeds of a supplementary quarantine tax of ten tariff dollars per pilgrim to be collected at Tor shall be deducted from this sum.

In case the Egyptian Government should find difficulty in bearing this share of the expenses, the Powers represented in the Board of Health shall reach an understanding with the Khedival Government in order to insure the participation of the latter in the expenses contemplated.

ART. 155.—The Sanitary, Maritime, and Quarantine Board of Egypt shall undertake the task of bringing the provisions of the present convention into conformity with the regulations at present enforced by it in regard to the plague, cholera, and yellow fever, as well as with the regulations relative to arrivals from the Arabian ports of the Red Sea during the pilgrim season.

To the same end it shall, if necessary, revise the general regulations of the sanitary, maritime, and quarantine police at present in force.

These regulations, in order to become effective, must be accepted by the various Powers represented on the Board.

## II.—THE INTERNATIONAL HEALTH BOARD OF TANGIER.

ART. 156.—In the interest of public health, the High Contracting Parties agree that their representatives in Morocco shall again invite the attention of the International Health Board of Tangier to the necessity of enforcing the provisions of the sanitary conventions.

## III.—MISCELLANEOUS PROVISIONS.

ART. 157. The proceeds from the sanitary taxes and fines shall in no case be employed for objects other than those within the scope of the Boards of Health.

ART. 158.—The High Contracting Parties agree to have a set of instructions prepared by their health departments for the pur-

Revision, etc., of regulations.

Tangier International Health Board.

Enforcing regulations by, invited.

Miscellaneous.

Use of sanitary taxes, etc.

Instructions to captains.

à mettre les capitaines des navires, surtout lorsqu'il n'y a pas de médecin à bord, en mesure d'appliquer les prescriptions contenues dans la présente Convention en ce qui concerne la peste, le choléra et la fièvre jaune.

pose of enabling captains of vessels, especially when there is no physician on board, to enforce the provisions contained in the present convention with regard to plague, cholera, and yellow fever.

## TITRE V.

## TITLE V.

## ADHÉSIONS ET RATIFICATIONS.

## ADHESIONS AND RATIFICATIONS.

Adhesions permitted.

ART. 159.—Les Gouvernements qui n'ont pas signé la présente Convention sont admis à y adhérer sur leur demande. Cette adhésion sera notifiée par la voie diplomatique au Gouvernement de la République française et, par celui-ci, aux autres Gouvernements signataires.

ART. 159.—The Governments which have not signed the present convention shall be permitted to adhere thereto upon request. Notice of this adhesion shall be given through diplomatic channels to the Government of the French Republic and by the latter to the other signatory governments.

Ratification.

ART. 160.—La présente Convention sera ratifiée et les ratifications en seront déposées à Paris aussitôt que faire se pourra.

ART. 160.—The present convention shall be ratified and the ratifications thereof deposited at Paris as soon as possible.

Enforcement.

Elle sera mise à exécution dès que la publication en aura été faite conformément à la législation des États signataires. Elle remplacera, dans les rapports respectifs des Puissances qui l'auront ratifiée ou y auront accédé, les Conventions sanitaires internationales signées les 30 janvier 1892, 15 avril 1893, 3 avril 1894, 19 mars 1897 et 3 décembre 1903.

It shall be enforced as soon as it shall have been proclaimed in conformity with the legislation of the signatory nations. In the respective relations of the Powers which have ratified it, it shall supersede the international sanitary conventions signed January 30, 1892; April 15, 1893; April 3, 1894; March 19, 1897; and December 3, 1903.

Prior conventions superseded.  
Vol. 36, p. 1770.

Les Arrangements antérieurs énumérés ci-dessus demeureront en vigueur à l'égard des Puissances qui, les ayant signés ou y ayant adhéré, ne ratifieraient pas le présent acte ou n'y accéderaient pas.

The previous arrangements enumerated above shall remain in force with regard to the Powers which, having signed or adhered to them, may not ratify or accede to the present act.

Continued for Powers not adhering hereto.

EN FOI DE QUOI les Plénipotentiaires respectifs ont signé la présente Convention et y ont apposé leurs cachets.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present convention and affixed thereto their seals.

Signatures.

Fait à Paris, le dix-sept janvier mil neuf cent douze, en un seul exemplaire qui restera déposé dans les Archives du Gouvernement de la République Française et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances contractantes.

Done at Paris on January 17, 1912, in a single copy which shall remain deposited in the archives of the Government of the French Republic, and of which certified copies shall be transmitted through diplomatic channels to the Contracting Powers.

|         |         |   |         |         |                                       |
|---------|---------|---|---------|---------|---------------------------------------|
| (L. S.) | Signed: | FREER VON STEIN.                                | (L. S.) | Signed: | FREER VON STEIN.                      |
| (L. S.) | "       | D <sup>r</sup> GAFFKY.                          | (L. S.) | Signed: | DR. GAFFKY.                           |
| (L. S.) | "       | A. BAILLY-BLANCHARD.                            | (L. S.) | Signed: | A. BAILLY-BLANCHARD.                  |
| (L. S.) | Signed: | FRANCISCO DE VEYGA.                             | (L. S.) | Signed: | FRANCISCO DE VEYGA.                   |
| (L. S.) | "       | EZEQUIEL CASTILLA.                              | (L. S.) | Signed: | EZEQUIEL CASTILLA.                    |
| (L. S.) | "       | GAGERN.   | (L. S.) | Signed: | GAGERN.                               |
| (L. S.) | "       | HABERLER.                                       | (L. S.) | Signed: | HABERLER.                             |
| (L. S.) | "       | WORMS.  | (L. S.) | Signed: | WORMS.                                |
| (L. S.) | "       | BÖLOS.  | (L. S.) | Signed: | BÖLOS.                                |
| (L. S.) | "       | MÜLLER.   | (L. S.) | Signed: | MÜLLER.                               |
| (L. S.) | "       | O. VELGHE.                                      | (L. S.) | Signed: | O. VELGHE.                            |
| (L. S.) | "       | D <sup>r</sup> VAN ERMENGEN.                    | (L. S.) | Signed: | DR. VAN ERMENGEN.                     |
| (L. S.) | "       | ISMAEL MONTES.                                  | (L. S.) | Signed: | ISMAEL MONTES.                        |
| (L. S.) | "       | D <sup>r</sup> CHERVIN.                         | (L. S.) | Signed: | DR. CHERVIN.                          |
| (L. S.) | "       | D <sup>r</sup> FIGUEIREDO DE VAS-<br>CONCELLOS. | (L. S.) | Signed: | DR. FIGUEIREDO DE<br>VASCONCELLOS.    |
| (L. S.) | "       | STANCIOFF.                                      | (L. S.) | Signed: | STANCIOFF.                            |
| (L. S.) | "       | D <sup>r</sup> G. CHICHCOFF.                    | (L. S.) | Signed: | DR. G. CHICHCOFF.                     |
| (L. S.) | "       | F. PUGA BORNE.                                  | (L. S.) | Signed: | F. PUGA BORNE.                        |
| (L. S.) | "       | J. E. MANRIQUE.                                 | (L. S.) | Signed: | J. E. MANRIQUE.                       |
| (L. S.) | "       | D <sup>r</sup> A. ALVAREZ CAÑAS.                | (L. S.) | Signed: | DR. A. ALVAREZ CAÑAS.                 |
| (L. S.) | "       | TOMAS COLLAZO.                                  | (L. S.) | Signed: | TOMAS COLLAZO.                        |
| (L. S.) | "       | F. REVENTLOW.                                   | (L. S.) | Signed: | F. RAVENTLOW.                         |
| (L. S.) | "       | VICTOR M. RENDON.                               | (L. S.) | Signed: | VICTOR M. RENDON.                     |
| (L. S.) | "       | E. DORN Y DE ALSUA.                             | (L. S.) | Signed: | E. DORN Y DE ALSUA.                   |
| (L. S.) | "       | F. DE REYNOSO.                                  | (L. S.) | Signed: | F. DE REYNOSO.                        |
| (L. S.) | "       | ANGEL PULIDO.                                   | (L. S.) | Signed: | ANGEL PULIDO.                         |
| (L. S.) | "       | CAMILLE BARRERE.                                | (L. S.) | Signed: | CAMILLE BARRERE.                      |
| (L. S.) | "       | GAVARRY.  | (L. S.) | Signed: | GAVARRY.                              |
| (L. S.) | "       | D <sup>r</sup> E. ROUX.                         | (L. S.) | Signed: | DR. E. ROUX.                          |
| (L. S.) | Signed: | MIRMAN.   | (L. S.) | Signed: | MIRMAN.                               |
| (L. S.) | "       | D <sup>r</sup> A. CALMETTE.                     | (L. S.) | Signed: | DR. A. CALMETTE.                      |
| (L. S.) | "       | ER. BONSSIN.                                    | (L. S.) | Signed: | ER. BONSSIN.                          |
| (L. S.) | "       | HARISMENDY.                                     | (L. S.) | Signed: | HARISMENDY.                           |
| (L. S.) | "       | PAUL ROUX.                                      | (L. S.) | Signed: | PAUL ROUX.                            |
| (L. S.) | Signed: | LANCLOT D. CARNE-<br>GIE.                       | (L. S.) | Signed: | LANCLOT D. CARNE-<br>GIE.             |
| (L. S.) | "       | RALPH W. JOHNSTONE.                             | (L. S.) | Signed: | RALPH W. JOHNSTONE.                   |
| (L. S.) | "       | BENJAMIN FRANKLIN.                              | (L. S.) | Signed: | BENJAMIN FRANKLIN.                    |
| (L. S.) | Signed: | D. CACALAMANOS.                                 | (L. S.) | Signed: | D. CACALAMANOS.                       |
| (L. S.) | "       | J.-M. LARDIZABAL.                               | (L. S.) | Signed: | J. M. LARDIZABAL.                     |
| (L. S.) | "       | D <sup>r</sup> CASSÉUS.                         | (L. S.) | Signed: | DR. CASSÉUS.                          |
| (L. S.) | "       | DÉSIRÉ PECTOR.                                  | (L. S.) | Signed: | DÉSIRÉ PECTOR.                        |
| (L. S.) | "       | ROCCO SANTOLQUIDO.                              | (L. S.) | Signed: | ROCCO SANTOLOQUIDO.                   |
| (L. S.) | "       | ADOLFO COTTA.                                   | (L. S.) | Signed: | ADOLFO COTTA.                         |
| (L. S.) | Signed: | BASTIN.   | (L. S.) | Signed: | BASTIN.                               |
| (L. S.) | "       | D <sup>r</sup> PRAUM.                           | (L. S.) | Signed: | DR. PRAUM.                            |
| (L. S.) | "       | MIGUEL ZUÑIGA Y AZ-<br>CARATE.                  | (L. S.) | Signed: | MIGUEL ZUÑIGA Y AZ-<br>CARATE.        |
| (L. S.) | "       | BRUNET.   | (L. S.) | Signed: | BRUNET.                               |
| (L. S.) | "       | D <sup>r</sup> H. BINET.                        | (L. S.) | Signed: | DR. H. BINET.                         |
| (L. S.) | "       | F. WEDEL JARLSBERG.                             | (L. S.) | Signed: | F. WEDEL JARLSBERG.                   |
| (L. S.) | "       | J. A. JIMENEZ.                                  | (L. S.) | Signed: | J. A. JIMENEZ.                        |
| (L. S.) | "       | D <sup>r</sup> W. P. BUYSCH.                    | (L. S.) | Signed: | DR. W. P. BUYSCH.                     |
| (L. S.) | "       | D <sup>r</sup> C. WINKLER.                      | (L. S.) | Signed: | DR. C. WINKLER.                       |
| (L. S.) | "       | M. SAMAD.                                       | (L. S.) | Signed: | M. SAMAD.                             |
| (L. S.) | "       | ANTONIO - AUGUSTO-<br>GONÇALVES BRAGA.          | (L. S.) | Signed: | ANTONIO AUGUSTO GON-<br>ÇALVES BRAGA. |
| (L. S.) | "       | ALEXANDRE EM. LAHO-<br>VARY.                    | (L. S.) | Signed: | ALEXANDRE EM. LAHO-<br>VARY.          |



(L. S.) Signé: PLATON DE WAXEL.  
 (L. S.) " NICOLAS FREYBERG.  
 (L. S.) " D<sup>r</sup> S. LETONA.  
 (L. S.) " MIL. E. VESNITCH.  
 (L. S.) " D<sup>r</sup> MANAUD.  
 (L. S.) " GYLDESTOLPE.  
 (L. S.) " LARDY.  
 (L. S.) " MISSAK.  
 (L. S.) " Y. SADDIK.  
 (L. S.) " LOUIS PIERA.

[L. S.] Signed: PLATON DE WAXEL.  
 [L. S.] Signed: NICOLAS FREYBERG.  
 [L. S.] Signed: DR. S. LETONA.  
 [L. S.] Signed: MIL. E. VESNITCH.  
 [L. S.] Signed: DR. MANAUD.  
 [L. S.] Signed: GYLDESTOLPE.  
 [L. S.] Signed: LARDY.  
 [L. S.] Signed: MISSAK.  
 [L. S.] Signed: Y. SADDIK.  
 [L. S.] Signed: LOUIS PIERA.

CERTIFIÉ conforme à l'original:  
*Le Président du Conseil,*  
*Ministre des Affaires étrangères*  
*de la République française,*  
 R. POINCARÉ

I certify that the foregoing is a true copy.

R. POINCARÉ,  
*President of the Council,*  
*Minister of Foreign Affairs of*  
*the French Republic.*

Annexes.

ANNEXES.

Annex I.

ANNEXE I.

Annex, p. 30.

(Voir art. 82.)

Quarantine trains  
 through Egyptian ter-  
 ritory.

RÈGLEMENT RELATIF AU TRANSIT,  
 EN TRAIN QUARANTAIRE, PAR  
 LE TERRITOIRE ÉGYPTIEN, DES  
 VOYAGEURS ET DES MALLS POS-  
 TALES PROVENANT DES PAYS  
 CONTAMINÉS.

ARTICLE PREMIER.

Notice to quarantine  
 authorities.

L'Administration des Chemins  
 de fer Égyptiens désirant un train  
 quarantenaire en correspondance  
 avec l'arrivée des navires prove-  
 nant de ports contaminés devra  
 en aviser l'autorité quarantenaire  
 locale au moins deux heures avant  
 le départ.

ART. 2.

Transfer of passen-  
 gers from ships.

Les passagers débarqueront à  
 l'endroit indiqué par l'autorité  
 quarantenaire d'accord avec l'Ad-  
 ministration des Chemins de fer  
 et le Gouvernement égyptien, et  
 passeront directement, sans au-  
 cune communication, du bateau  
 au train, sous la surveillance d'un  
 officier du transit et de deux ou  
 plusieurs gardes sanitaires.

ART. 3.

Baggage, etc.

Le transport des effets, bagages,  
 etc., des passagers sera effectué  
 en quarantaine par les moyens du  
 bord.

APPENDICES.

APPENDIX I.

(See Art. 82.)

REGULATIONS CONCERNING THE  
 PASSAGE, IN QUARANTINE  
 TRAINS THROUGH EGYPTIAN  
 TERRITORY, OF TRAVELERS AND  
 MAIL BAGS COMING FROM CON-  
 TAMINATED COUNTRIES.

FIRST ARTICLE.

If an Egyptian Railroad Ad-  
 ministration desires a quarantine  
 train to connect with vessels ar-  
 riving from contaminated ports,  
 it shall notify the local quaran-  
 tine authority at least two hours  
 before departure.

ART. 2.

The passengers shall land at the  
 place indicated by the quarantine  
 authority, with the consent of the  
 Railroad Administration and the  
 Egyptian Government, and shall  
 pass directly and without any  
 communication from the vessel to  
 the train, under the supervision of  
 a transit officer and of two or  
 more sanitary guards.

ART. 3.

The personal effects, baggage,  
 etc., of the passengers shall be  
 transported in quarantine with  
 the means at the disposal of the  
 vessel.

## ART. 4.

Les agents du chemin de fer sont tenus de se conformer, en ce qui concerne les mesures quaranténaires, aux ordres de l'officier du transit.

## ART. 4.

The agents of the railroad shall be obliged to obey the orders of the transit officer as regards the quarantine measures.

*Duty of railroad agents.*

## ART. 5.

Les wagons affectés à ce service seront des wagons à couloir. Un garde sanitaire sera placé dans chaque wagon et sera chargé de la surveillance des passagers. Les agents du chemin de fer n'auront aucune communication avec les passagers.

Un médecin du service quarantenaire accompagnera le train.

## ART. 5.

The cars assigned to this service shall be longitudinal-aisle cars. A sanitary guard shall be placed in each car and shall have supervision over the passengers. The agents of the railroad shall have no communication with the passengers.

A physician of the quarantine service shall accompany the train.

*Passenger car restriction.*

## ART. 6.

Les gros bagages des passagers seront placés dans un wagon spécial qui sera scellé au départ du train par l'officier du transit. A l'arrivée, les scellés seront retirés par l'officier du transit.

Tout transbordement ou embarquement sur le parcours est interdit.

## ART. 6.

The heavy baggage of the passengers shall be placed in a special car to be sealed at the departure of the train by the transit officer. Upon arrival, the seals shall be withdrawn by the transit officer.

Any transshipment or embarkation during the trip shall be prohibited.

*Heavy baggage in sealed cars.*

## ART. 7.

Les cabinets seront munis de tinettes contenant une certaine quantité d'antiseptique pour recevoir les déjections des passagers.

## ART. 7.

The closets shall be provided with cans containing a certain quantity of antiseptic for receiving the dejections of the passengers.

*Closets.*

## ART. 8.

Le quai des gares où le train sera obligé de s'arrêter sera complètement évacué, sauf par les agents de service absolument indispensables.

## ART. 8.

The platforms of the stations where the train is obliged to stop shall be completely vacated, except by such agents of the service as are absolutely indispensable.

*Platform restrictions at stations.*

## ART. 9.

Chaque train pourra avoir un wagon-restaurant. La desserte de la table sera détruite. Les employés de ce wagon et les autres employés du chemin de fer qui, pour une raison quelconque, ont été en contact avec les passagers, seront assujettis au même traitement que les pilotes et les électriciens à Port-Saïd ou à Suez ou à telles mesures que le Conseil jugera nécessaires.

## ART. 9.

Each train may have a dining car. The leavings of the tables shall be destroyed. The employees of this car as well as the other employees of the railroad who have for any reason come in contact with the passengers shall be subjected to the same treatment as the pilots and electricians at Port Said and Suez or to such measures as the Board may deem necessary.

*Dining cars.*

## ART. 10.

Throwing articles  
from cars prohibited.

Il est absolument défendu aux passagers de jeter quoi que ce soit par les fenêtres, portières, etc.

## ART. 10.

The passengers shall be absolutely prohibited from throwing anything out of the windows, doors, etc.

## ART. 11.

Infirmiry compart-  
ments.

Dans chaque train un compartiment-infirmerie restera vide pour y isoler les malades si le cas se présente. Ce compartiment sera installé d'après les indications du Conseil quarantenaire.

## ART. 11.

In each train an infirmiry compartment shall remain empty in order that any persons falling ill may be isolated therein. This compartment shall be arranged according to the directions of the Quarantine Board.

Isolation of patients.

Si un cas de peste ou de choléra se déclarait parmi les passagers, le malade serait immédiatement isolé dans le compartiment spécial. Ce malade, à l'arrivée du train, sera immédiatement transféré au lazaret quarantenaire. Les autres passagers continueront leur voyage en quarantaine.

If a case of plague or cholera should appear among the passengers, the patient shall be immediately isolated in the special compartment. Upon the arrival of the train this patient shall be transferred at once to the quarantine lazaretto. The other passengers shall continue their voyage in quarantine.

## ART. 12.

Disinfection of train.

Si un cas de peste ou de choléra se déclarait pendant le parcours, le train serait désinfecté par l'autorité quarantenaire.

Dans tous les cas, les fourgons ayant contenu les bagages et la malle seront désinfectés immédiatement après l'arrivée du train.

## ART. 12.

If a case of plague or cholera should appear during the trip, the train shall be disinfected by the quarantine authority.

At all events, the cars which have contained the baggage and the mails shall be disinfected immediately after the arrival of the train.

## ART. 13.

Transshipment from  
train to boat.

Le transbordement du train au bateau sera fait de la même façon qu'à l'arrivée. Le bateau recevant les passagers sera immédiatement mis en quarantaine et mention sera faite sur la patente des accidents qui auraient pu survenir en cours de route, avec désignation spéciale des personnes qui auraient été en contact avec les malades.

## ART. 13.

The transshipment from the train to the boat shall be accomplished in the same way as at arrival. The boat receiving the passengers shall be immediately placed in quarantine and mention shall be made on the bill of health of the accidents which may have occurred en route, those persons who may have been in contact with the patients being specially designated.

## ART. 14.

Expenses.

Les frais encourus par l'Administration quarantenaire sont à la charge de qui aura fait la demande du train quarantenaire.

## ART. 14.

The expenses incurred by the quarantine administration shall be borne by the party asking for the quarantine.

## ART. 15.

Le Président du Conseil, ou son remplaçant, aura le droit de surveiller ce train pendant tout son parcours.

Le Président pourra, en plus, charger un employé supérieur (outre l'officier du transit et les gardes) de la surveillance dudit train.

Cet employé aura accès dans le train sur la simple présentation d'un ordre signé par le Président.

## ART. 15.

The President of the Board, or his substitute, shall have a right to watch over the train during its whole trip.

The President may, moreover, set a superior employee (besides the transit officer and the guards) to watch over said train.

This employee shall have access to the train upon mere presentation of an order signed by the President.

Supervision of train.

## ANNEXE II.

(Voir art. 153.)

DÉCRET KHÉDIVIAL DU 19 JUIN 1893.

NOUS, KHÉDIVE D'ÉGYPTÉ,  
Sur la proposition de Notre Ministre de l'Intérieur, et l'avis conforme de Notre Conseil des Ministres,

Considérant qu'il a été nécessaire d'introduire diverses modifications dans notre Décret du 3 janvier 1881 (2 Safer 1298),

DÉCRÉTONS:

## ARTICLE PREMIER.

Le Conseil Sanitaire, Maritime et Quarantenaire est chargé d'arrêter les mesures à prendre pour prévenir l'introduction en Égypte, ou la transmission à l'étranger, des maladies épidémiques et des épizooties.

## ART. 2.

Le nombre des Délégués égyptiens sera réduit à quatre membres:

1° Le Président du Conseil, nommé par le Gouvernement Égyptien, et qui ne votera qu'en cas de partage des voix;

2° Un Docteur en médecine européen, Inspecteur général du Service Sanitaire, Maritime et Quarantenaire;

3° L'Inspecteur sanitaire de la ville d'Alexandrie, ou celui qui remplit ses fonctions;

4° L'Inspecteur vétérinaire de l'Administration des services sanitaires et de l'hygiène publique.

## APPENDIX II.

(See Art. 153.)

KHEDIVAL DECREE OF JUNE 19, 1893.

We, Khedive of Egypt,  
On the recommendation of Our Minister of the Interior, with the advice and consent of our Cabinet, and considering that it is necessary to introduce various amendments in our decree of January 3, 1881 (2 Safer 1298), decree:

## ARTICLE FIRST.

The Sanitary, Maritime, and Quarantine Board shall decide on the measures to be taken to prevent the introduction into Egypt, or the transmission to foreign countries, of epidemic diseases and epizootics.

## ART. 2.

The number of Egyptian delegates shall be reduced to four, as follows:

1<sup>st</sup>. The President of the Board, appointed by the Egyptian Government and to vote only in case of a tie.

2<sup>d</sup>. A European doctor of medicine, Inspector General of the Sanitary, Maritime, and Quarantine Service.

3<sup>d</sup>. The Sanitary Inspector of the city of Alexandria, or whoever acts in that capacity.

4<sup>th</sup>. The Veterinary Inspector of the Administration of sanitary services and public hygiene.

Annex II.

Ante. p. 58.

Khedival decree of June 19, 1893.

Declaration.

Authority of Sanitary, Maritime, and Quarantine Board over epidemic diseases.

Egyptian delegates to Board.

Tous les Délégués doivent être médecins régulièrement diplômés, soit par une Faculté de médecine européenne, soit par l'Etat, ou être fonctionnaires effectifs de carrière, du grade de vice-consul au moins, ou d'un grade équivalent. Cette disposition ne s'applique pas aux titulaires actuellement en fonctions.

## ART. 3.

*Supervisory powers.*

Le Conseil Sanitaire, Maritime et Quarantenaire exerce une surveillance permanente sur l'état sanitaire de l'Égypte et sur les provenances des pays étrangers.

## ART. 4.

*Health bulletins of Egypt.*

En ce qui concerne l'Égypte, le Conseil Sanitaire, Maritime et Quarantenaire recevra chaque semaine du Conseil de santé et d'hygiène publique, les bulletins sanitaires des villes du Caire et d'Alexandrie, et, chaque mois, les bulletins sanitaires des provinces. Ces bulletins devront être transmis à des intervalles plus rapprochés lorsque, à raison de circonstances spéciales, le Conseil Sanitaire, Maritime et Quarantenaire en fera la demande.

Deson côté, le Conseil Sanitaire, Maritime et Quarantenaire communiquera au Conseil de santé et d'hygiène publique les décisions qu'il aura prises et les renseignements qu'il aura reçus de l'étranger.

Les Gouvernements adressent au Conseil, s'ils le jugent à propos, le bulletin sanitaire de leur pays et lui signalent, dès leur apparition, les épidémies et les épizooties.

## ART. 5.

*Sanitary inspection of the country.*

Le Conseil Sanitaire, Maritime et Quarantenaire s'assure de l'état sanitaire du pays et envoie des commissions d'inspection partout où il le juge nécessaire.

Le Conseil de santé et d'hygiène publique sera avisé de l'envoi de ces commissions et devra s'employer à faciliter l'accomplissement de leur mandat.

All the Delegates must be physicians holding a regular diploma, granted either by a European faculty of medicine or by the Government, or be regularly appointed officials in actual service, of the grade of vice consul at least, or of an equivalent grade. This provision is not applicable to the present incumbents.

## ART. 3.

The Sanitary, Maritime, and Quarantine Board shall exercise permanent supervision over the sanitary condition of Egypt and over arrivals from foreign countries.

## ART. 4.

As regards Egypt, the Sanitary, Maritime, and Quarantine Board shall receive each week, from the Board of Health and Public Hygiene, the sanitary bulletins of the cities of Cairo and Alexandria, and each month the sanitary bulletins of the provinces. These bulletins shall be transmitted at shorter intervals when, owing to special circumstances, the Sanitary, Maritime, and Quarantine Board so requests.

On its part, the Sanitary, Maritime, and Quarantine Board shall communicate to the Board of Health and Public Hygiene any decisions it may have reached and any information it may have received from abroad.

The Governments shall address to the Board, if they deem proper, the sanitary bulletin of their country, and shall notify it of epidemics and epizootics as soon as they appear.

## ART. 5.

The Sanitary, Maritime, and Quarantine Board shall ascertain the sanitary condition of the country and send inspecting boards wherever it may deem necessary.

The Board of Health and Public Hygiene shall be notified of the dispatch of these boards and shall endeavor to facilitate the performance of their mission.

## ART. 6.

Le Conseil arrête les mesures préventives ayant pour objet d'empêcher l'introduction en Égypte, par les frontières maritimes ou les frontières du désert, des maladies épidémiques ou des épizooties, et détermine les points où devront être installés les campements provisoires et les établissements permanents quaranténaires.

## ART. 7.

Il formule l'annotation à inscrire sur la patente délivrée par les offices sanitaires aux navires en partance.

## ART. 8.

En cas d'apparition de maladies épidémiques ou d'épizooties en Égypte, il arrête les mesures préventives ayant pour objet d'empêcher la transmission de ces maladies à l'étranger.

## ART. 9.

Le Conseil surveille et contrôle l'exécution des mesures sanitaires quaranténaires qu'il a arrêtées.

Il formule tous les règlements relatifs au service quarantenaire, veille à leur stricte exécution, tant en ce qui concerne la protection du pays que le maintien des garanties stipulées par les conventions sanitaires internationales.

## ART. 10.

Il réglemente, au point de vue sanitaire, les conditions dans lesquelles doit s'effectuer le transport des pèlerins à l'aller et au retour du Hedjaz, et surveille leur état de santé en temps de pèlerinage.

## ART. 11.

Les décisions prises par le Conseil Sanitaire, Maritime et Quarantenaire sont communiquées au Ministère de l'Intérieur; il en sera également donné connaissance au Ministère des Affaires étrangères, qui les notifiera, s'il y a lieu, aux agences et consulats généraux.

## ART. 6.

The Board shall adopt preventive measures for the purpose of preventing the introduction of epidemics and epizootics into Egypt via the maritime or desert frontiers, and it shall determine the points at which temporary camps and permanent quarantine establishments are to be located.

Adoption of preventive measures.

## ART. 7.

It shall draft the note to be written on the bill of health issued by the health offices to departing vessels.

Note on bills of health.

## ART. 8.

In case of the appearance of epidemics or epizootics in Egypt, it shall adopt preventive measures with the object of preventing the transmission of these diseases to foreign countries.

Preventing transmitting diseases to foreign countries.

## ART. 9.

The Board shall supervise and control the execution of the quarantine sanitary measures which it has adopted.

Execution of quarantine measures.

It shall draft all regulations relating to the quarantine service and see to their strict enforcement both with regard to protecting the country and to maintaining the guarantees stipulated by international sanitary conventions.

## ART. 10.

It shall regulate, from a sanitary standpoint, the conditions under which pilgrims going to and returning from Hedjaz are to be transported, and watch over their state of health during pilgrimage.

Oversight of Hedjaz pilgrims.

## ART. 11.

The decisions reached by the Sanitary, Maritime, and Quarantine Board shall be communicated to the Ministry of the Interior; they shall also be made known to the Ministry of Foreign Affairs, which shall notify them, if necessary, to the agencies and consulates general.

Communication of decisions, etc.

Toutefois, le Président du Conseil est autorisé à correspondre directement avec les Autorités consulaires des villes maritimes pour les affaires courantes du service.

## ART. 12.

Enforcement of decisions.

Le Président, et, en cas d'absence ou d'empêchement de celui-ci, l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire, est chargé d'assurer l'exécution des décisions du Conseil.

A cet effet, il correspond directement avec tous les agents du Service Sanitaire, Maritime et Quarantenaire, et avec les diverses Autorités du pays. Il dirige, d'après les avis du Conseil, la police sanitaire des ports, les établissements maritimes quaranténaires et les stations quaranténaires du désert.

Enfin, il expédie les affaires courantes.

## ART. 13.

Selection of sanitary officers.

L'Inspecteur général sanitaire, les directeurs des offices sanitaires, les médecins des stations sanitaires et campements quaranténaires doivent être choisis parmi les médecins régulièrement diplômés, soit par une Faculté de médecine européenne, soit par l'État.

Le délégué du Conseil à Djeddah pourra être médecin diplômé du Caire.

## ART. 14.

Appointment of officers.

Pour toutes les fonctions et emplois relevant du Service Sanitaire, Maritime et Quarantenaire, le Conseil, par l'entremise de son Président, désigne ses candidats au Ministre de l'Intérieur, qui seul aura le droit de les nommer.

Il sera procédé de même pour les révocations, mutations et avancements.

Toutefois, le Président aura la nomination directe de tous les agents subalternes, hommes de peine, gens de service, etc.

La nomination des gardes de santé est réservée au Conseil.

However, the President of the Board shall be authorized to correspond directly with the consular authorities of maritime cities in current matters connected with the service.

## ART. 12.

The President, and, in case of his absence or impediment, the Inspector General of the Sanitary, Maritime, and Quarantine Service, shall see to the enforcement of the decisions of the Board.

For this purpose he shall correspond directly with all the agents of the Sanitary, Maritime, and Quarantine Service and with the various authorities of the countries. He shall, with the advice of the Board, direct the sanitary police of the ports, the maritime quarantine establishments, and the quarantine stations of the desert.

Finally, he shall transact current business.

## ART. 13.

The sanitary inspector general, the directors of sanitary offices, and the physicians of sanitary stations and quarantine camps must be selected from among physicians regularly diplomaed either by a European faculty of medicine or by the Government.

The delegate of the Board at Djeddah may be a diplomaed physician of Cairo.

## ART. 14.

The Board shall designate its candidates through its President to the Minister of the Interior for all offices and positions under the Sanitary, Maritime, and Quarantine Service, said Minister alone having a right to appoint them.

The same course shall be followed in regard to dismissals, transfers, and promotions.

However, the President shall have the direct appointment of all the subaltern agents, laborers, servants, etc.

The appointment of the sanitary guards shall be reserved to the Board.

## ART. 15.

Les directeurs des offices sanitaires sont au nombre de sept, ayant leur résidence à Alexandrie, Damiette, Port-Saïd, Suez, Tor, Souakim et Kosseir.

L'office sanitaire de Tor pourra ne fonctionner que pendant la durée du pèlerinage ou en temps d'épidémie.

## ART. 15.

The number of directors of sanitary offices shall be seven, their residence being at Alexandria, Damietta, Port Said, Suez, Tor, Souakim, and Kosseir.

Directors of sanitary offices.

The sanitary office of Tor may operate only during the continuance of the pilgrimage or in time of epidemic.

## ART. 16.

Les directeurs des offices sanitaires ont sous leurs ordres tous les employés sanitaires de leur circonscription. Ils sont responsables de la bonne exécution du service.

## ART. 16.

The directors of the sanitary offices shall have under their orders all the sanitary employees of their district. They shall be responsible for the proper performance of the service.

Authority conferred.

## ART. 17.

Le chef de l'agence sanitaire d'El Ariche a les mêmes attributions que celles confiées aux directeurs par l'article qui précède.

## ART. 17.

The chief of the sanitary agency of El Ariche shall have the same powers and duties as those entrusted to the directors by the foregoing article.

El Ariche sanitary agency.

## ART. 18.

Les directeurs des stations sanitaires et campements quaranténaires ont sous leurs ordres tous les employés du service médical et du service administratif des établissements qu'ils dirigent.

## ART. 18.

The directors of the sanitary stations and quarantine camps shall have under their orders all the employees of the medical and administrative service of the establishments under their direction.

Employees at stations and camps.

## ART. 19.

L'Inspecteur général sanitaire est chargé de la surveillance de tous les services dépendant du Conseil Sanitaire, Maritime et Quarantenaire.

## ART. 19.

The sanitary inspector general shall have the supervision over all the services under the Sanitary, Maritime, and Quarantine Board.

Authority of sanitary inspector general.

## ART. 20.

Le délégué du Conseil Sanitaire, Maritime et Quarantenaire à Djeddah a pour mission de fournir au Conseil des informations sur l'état sanitaire du Hedjaz, spécialement en temps de pèlerinage.

## ART. 20.

It shall be the mission of the delegate of the Sanitary, Maritime, and Quarantine Board at Djeddah to furnish the Board with information as to the sanitary condition of Hedjaz, especially in time of pilgrimage.

Report on conditions of Hedjaz.

## ART. 21.

Un Comité de discipline, composé du Président, de l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire et de trois

## ART. 21.

A disciplinary committee composed of the President, the Inspector General of the Sanitary, Maritime, and Quarantine Service,

Disciplinary committee.



Délégués élus par le Conseil, est chargé d'examiner les plaintes portées contre les agents relevant du Service Sanitaire, Maritime et Quarantenaire.

Il dresse sur chaque affaire un rapport et le soumet à l'appréciation du Conseil, réuni en assemblée générale. Les Délégués seront renouvelés tous les ans. Ils sont rééligibles.

La décision du Conseil est, par les soins de son Président, soumise à la sanction du Ministre de l'Intérieur.

Le Comité de discipline peut infliger, sans consulter le Conseil: 1° le blâme; 2° la suspension du traitement jusqu'à un mois.

## ART. 22.

Disciplinary penalties.

Les peines disciplinaires sont:

- 1° Le blâme;
- 2° La suspension du traitement depuis huit jours jusqu'à trois mois;
- 3° Le déplacement sans indemnité;
- 4° La révocation.

Le tout sans préjudice des poursuites à exercer pour les crimes ou délits de droit commun.

## ART. 23.

Sanitary and quarantine dues.

Les droits sanitaires et quaranténaires sont perçus par les agents qui relèvent du Service Sanitaire, Maritime et Quarantenaire.

Ceux-ci se conforment, en ce qui concerne la comptabilité et la tenue des livres, aux règlements généraux établis par le Ministère des Finances.

Les agents comptables adressent leur comptabilité et le produit de leurs perceptions à la Présidence du Conseil.

L'agent comptable, chef du bureau central de la comptabilité, leur en donne décharge sur le visa du Président du Conseil.

## ART. 24.

Finances of Board.

Le Conseil Sanitaire, Maritime et Quarantenaire dispose de ses finances.

and the three delegates elected by the Board, shall be intrusted with an examination of the complaints lodged against the agents belonging to the Sanitary, Maritime, and Quarantine Service.

It shall draw up a report on each case and submit it to the consideration of the Board convened in general assembly. The delegates shall be renewed every year. They shall be reeligible.

The decision of the Board shall be submitted by its President to the sanction of the Minister of the Interior.

The disciplinary committee may inflict, without consulting the Board: 1<sup>st</sup> Censure and 2<sup>d</sup> suspension of pay up to one month.

## ART. 22.

The disciplinary penalties shall be:

- 1<sup>st</sup>. Censure.
- 2<sup>d</sup>. Suspension of pay from eight days to three months.
- 3<sup>d</sup>. Transfer without indemnity.

4<sup>th</sup>. Dismissal.

All without prejudice to any actions to be brought for common law crimes or offenses.

## ART. 23.

Sanitary and quarantine dues shall be collected by the agents belonging to the Sanitary, Maritime, and Quarantine Service.

The latter shall conform, in regard to accounts and book keeping, to the general regulations established by the Ministry of Finance.

The accounting officers shall address their accounts and the proceeds of their collections to the President of the Board.

The accounting officer who is chief of the central bureau of accounts shall acquit them over the visa of the President of the Board.

## ART. 24.

The Sanitary, Maritime, and Quarantine Board shall have control over its own finances.

L'administration des recettes et des dépenses est confiée à un Comité composé du Président, de l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire et de trois Délégués des Puissances élus par le Conseil. Il prend le titre de "Comité des Finances". Les trois Délégués des Puissances sont renouvelés tous les ans. Ils sont rééligibles.

Ce Comité fixe, sauf ratification par le Conseil, le traitement des employés de tout grade; il décide les dépenses fixes et les dépenses imprévues. Tous les trois mois, dans une séance spéciale, il fait au Conseil un rapport détaillé de sa gestion. Dans les trois mois qui suivront l'expiration de l'année budgétaire, le Conseil, sur la proposition du Comité, arrête le bilan définitif et le transmet, par l'entremise de son Président, au Ministère de l'Intérieur.

Le Conseil prépare le budget de ses recettes et celui de ses dépenses. Ce budget sera arrêté par le Conseil des Ministres, en même temps que le budget général de l'État, à titre de budget annexe.—Dans le cas où le chiffre des dépenses excéderait le chiffre des recettes, le déficit sera comblé par les ressources générales de l'État. Toutefois, le Conseil devra étudier sans retard les moyens d'équilibrer les recettes et les dépenses. Ses propositions seront, par les soins du Président, transmises au Ministre de l'Intérieur. L'excédent des recettes, s'il en existe, restera à la caisse du Conseil Sanitaire, Maritime et Quarantenaire; il sera, après décision du Conseil Sanitaire ratifiée par le Conseil des Ministres, affecté exclusivement à la création d'un fonds de réserve destiné à faire face aux besoins imprévus.

## ART. 25.

Le Président est tenu d'ordonner que le vote aura lieu au scrutin secret toutes les fois que trois membres du Conseil en font la

The administration of the receipts and expenses shall be entrusted to a Committee composed of the President, the Inspector General of the Sanitary, Maritime, and Quarantine Service, and of three delegates of the Powers elected by the Board. It shall be entitled "Committee on Finances." The three delegates of the Powers shall be renewed every year. They shall be reeligible.

Committee on Finances created.

Subject to ratification by the Board, this Committee shall fix the salary of the employees of every grade; it shall decide on the permanent and the unforeseen expenses. Every three months, at a special meeting, it shall make a detailed report on its management to the Board. Within three months following the expiration of the budgetary year, the Board, upon the recommendation of the Committee, shall strike a final balance and transmit it through its President to the Ministry of the Interior.

Duties of Committee.

The Board shall prepare the budget of its receipts and that of its expenditures. This budget shall be adopted by the Cabinet, at the same time as the general budget of the Government, as an annexed budget. In case the expenditures should exceed the receipts, the deficit shall be covered from the general resources of the Nation. However, the Board shall without delay examine into the means of balancing the receipts and expenditures. Its recommendations shall be transmitted by the President to the Minister of the Interior. Any surplus that may exist shall accrue to the treasury of the Sanitary, Maritime, and Quarantine Board; it shall, after a decision is reached by the Sanitary Board and ratified by the Cabinet, be devoted exclusively to the creation of a reserve fund for use in emergencies.

Budget of Board.

## ART. 25.

The President shall be obliged to order voting done by secret ballot whenever three members of the Board so request. Voting by

Balloting on questions before the Board.

demande. Le vote au scrutin secret est obligatoire toutes les fois qu'ils s'agit du choix des Délégués des Puissances pour faire partie du Comité de discipline ou du Comité des Finances et lorsqu'il s'agit de nomination, révocation, mutation ou avancement dans le personnel.

## ART. 26.

Authorities for enforcement of regulations.

Les Gouverneurs, Préfets de police et Moudirs sont responsables, en ce qui les concerne, de l'exécution des règlements sanitaires. Ils doivent, ainsi que toutes les autorités civiles et militaires, donner leur concours lorsqu'ils en sont légalement requis par les agents du Service Sanitaire, Maritime et Quarantenaire, pour assurer la prompte exécution des mesures prises dans l'intérêt de la santé publique.

## ART. 27.

Repeal of previous decrees, etc.

Tous décrets et règlements antérieurs sont abrogés en ce qu'ils ont de contraire aux dispositions qui précèdent.

## ART. 28.

Enforcement of decrees.  
Foot p. 75.

Notre Ministre de l'Intérieur est chargé de l'exécution du présent décret, qui ne deviendra exécutoire qu'à partir du 1<sup>er</sup> novembre 1893.

Fait au Palais de Ramleh, le 19 juin 1893.

ABBAS HILMI.

Par le Khédive:

*Le Président du Conseil,  
Ministre de l'Intérieur,  
RIAZ.*

Khedival decree of December 25, 1894.

Declaration.

NOUS, KHÉDIVE D'ÉGYPTÉ,  
Sur la proposition de Notre Ministre des Finances et l'avis conforme de Notre Conseil des Ministres;

Vu l'avis conforme de MM. les Commissaires-Directeurs de la

secret ballot shall be compulsory whenever it is a question of the choice of Delegates of the Powers to form part of the Disciplinary Committee or of the Committee on Finances and when it is a question of appointing, dismissing, transferring, or promoting employees.

## ART. 26.

The Governors, Prefects of Police, and Mudirs shall be responsible, as far as concerns them, for the enforcement of the sanitary regulations. They, as well as the civil and military authorities, shall give their assistance, whenever legally called upon by the agents of the Sanitary, Maritime, and Quarantine Service, in order to insure the prompt enforcement of the measures taken in the interest of public health.

## ART. 27.

All previous decrees and regulations are repealed as far as contrary to the foregoing provisions.

## ART. 28.

Our Minister of the Interior is intrusted with the enforcement of the present decree, which shall not be enforceable until November 1, 1893.

Done in the Palace of Ramleh, June 19, 1893.

ABBAS HILMI.

By the Khedive:

*RIAZ,  
Head of the Cabinet, Minister  
of the Interior.*

KHEDIVAL DECREE OF DECEMBER 25, 1894.

We, Khedive of Egypt,  
On the recommendation of Our Minister of Finance, with the advice and consent of our Cabinet, with the consent of the Commissioner-Directors of the Public Debt Fund as regards article 7,

Caisse de la dette publique en ce qui concerne l'article 7;

Avec l'assentiment des Puissances,

DÉCRÉTONS:

ARTICLE PREMIER.

A partir de l'exercice financier 1894, il sera prélevé annuellement sur les recettes actuelles des droits de phare une somme de 40,000 L. E., qui sera employée comme il est expliqué dans les articles suivants.

ART. 2.

La somme prélevée en 1894 sera affectée: 1° à combler le déficit éventuel de l'exercice financier 1894 du Conseil quarantenaire, au cas où ce déficit n'aurait pas pu être entièrement couvert avec les ressources provenant du fonds de réserve dudit Conseil, ainsi qu'il sera dit à l'article qui suit; 2° à faire face aux dépenses extraordinaires nécessitées par l'aménagement des établissements sanitaires d'El-Tor, de Suez et des Sources de Moïse.

ART. 3.

Le fonds de réserve actuel du Conseil quarantenaire sera employé à combler le déficit de l'exercice 1894, sans que ce fonds puisse être réduit à une somme inférieure à 10,000 L. E.

Si le déficit ne se trouve pas entièrement couvert, il y sera fait face, pour le reste, avec les ressources créées à l'article premier.

ART. 4.

Sur la somme de L. E. 80,000, provenant des exercices 1895 et 1896, il sera prélevé: 1° une somme égale à celle qui aura été payée en 1894 sur les mêmes recettes, à valoir sur le déficit de ladite année 1894, de manière à porter à L. E. 40,000 le montant des sommes affectées aux travaux extraordinaires prévus à l'article 1<sup>er</sup> pour El-Tor, Suez et les Sources de Moïse; 2° les sommes nécessaires pour combler le déficit du

and with the consent of the Powers, decree:

ARTICLE FIRST.

Beginning with the fiscal year 1894, there shall be deducted annually from the present receipts of lighthouse dues the sum of 40,000 pounds Egyptian, which shall be employed as explained in the following articles.

Deduction from lighthouse dues.

ART. 2.

The sum deducted in 1894 shall be used: 1st To cover any deficit during the fiscal year 1894 of the Quarantine Board, in case it has been impossible to entirely cover such deficit with the resources derived from the reserve fund of said Board, as will be stated in the following article; 2d to meet the extraordinary expenses necessitated by the fitting up of the sanitary establishments of Tor, Suez, and Moses Spring.

Use for sanitary expenses.

ART. 3.

The present reserve fund of the Quarantine Board will be used to cover the deficit of the fiscal year 1894, and it shall not be reduced to an amount less than 10,000 pounds Egyptian.

Use of reserve funds.

If the deficit should not be fully covered, the remainder shall be met with the resources created in article 1.

ART. 4.

From the sum of 80,000 pounds Egyptian derived from the fiscal years 1895 and 1896 there shall be deducted: 1<sup>st</sup> An amount equal to that which has been paid out in 1894 from the same receipts, to be applied to the deficit of said year 1894, so as to bring up to 40,000 pounds Egyptian the sums allotted to the extraordinary works provided for in article 1 for Tor, Suez, and Moses Spring; 2<sup>d</sup> the sums necessary in order to cover the deficit

Use of subsequent revenues.

budget du Conseil quarantenaire, pour les exercices financiers 1895 et 1896.

Le surplus, après le prélèvement ci-dessus, sera affecté à la construction de nouveaux phares dans la Mer Rouge.

## ART. 5.

Annual amounts hereafter.

A partir de l'exercice financier 1897, cette somme annuelle de L. E. 40,000 sera affectée à combler les déficits éventuels du Conseil quarantenaire. Le montant de la somme nécessaire à cet effet sera arrêté définitivement en prenant pour base les résultats financiers des exercices 1894 et 1895 du Conseil.

Reduction of lighthouse dues.

Le surplus sera affecté à une réduction des droits de phares: il est entendu que ces droits seront réduits dans la même proportion dans la Mer Rouge et dans la Méditerranée.

## ART. 6.

Effect of deductions and allotments.

Moyennant les prélèvements et affectations ci-dessus, le Gouvernement est, à partir de l'année 1894, déchargé de toute obligation quelconque en ce qui concerne les dépenses soit ordinaires, soit extraordinaires du Conseil quarantenaire.

Il est entendu, toutefois, que les dépenses supportées jusqu'à ce jour par le Gouvernement Égyptien continueront à rester à sa charge.

## ART. 7.

Settlement with Public Debt Fund.

A partir de l'exercice 1894, lors du règlement de compte des excédents avec la Caisse de la Dette publique, la part de ces excédents revenant au Gouvernement sera majorée d'une somme annuelle de 20,000 L. E.

## ART. 8.

Agreement of lighthouse dues reduction.

Il a été convenu entre le Gouvernement Égyptien et les Gouvernements d'Allemagne, de Belgique, de Grande-Bretagne et d'Italie que la somme affectée à la réduction des droits de phares,

of the budget of the Quarantine Board for the fiscal years 1895 and 1896.

After the aforementioned deduction has been made, the surplus shall be devoted to the construction of new lighthouses in the Red Sea.

## ART. 5.

Beginning with the fiscal year 1897, this annual sum of 40,000 Egyptian pounds shall be used to cover possible deficits of the Quarantine Board. The amount necessary for this purpose shall be conclusively determined by taking as a basis the financial results of the fiscal years 1894 and 1895 of the Board.

The surplus shall be devoted to a reduction in the lighthouse dues, it being understood that these dues shall be reduced in the same proportion in the Red Sea and the Mediterranean.

## ART. 6.

In consideration of the aforementioned deductions and allotments the Government shall, beginning with 1894, be relieved of any obligation in regard to the expenses, ordinary or extraordinary, of the Quarantine Board.

It is understood, however, that the expenses borne hitherto by the Egyptian Government shall continue to be borne by it.

## ART. 7.

Beginning with the fiscal year 1894, upon the settlement of account of the excesses with the Public Debt Fund, the share of these excesses due the Government shall be increased by an annual sum of 20,000 pounds Egyptian.

## ART. 8.

It has been agreed between the Egyptian Government and the Governments of Germany, Belgium, Great Britain, and Italy that the sum allotted to a reduction of the lighthouse dues, in accordance

aux termes de l'article 5 du présent décret, viendra en déduction de celle de 40,000 L. E. prévue dans les lettres annexées aux Conventions commerciales intervenues entre l'Égypte et lesdits Gouvernements.

## ART. 9.

Notre Ministre des Finances est chargé de l'exécution du présent décret.

Fait au Palais de Koubbeh, le 25 décembre 1894.

ABBAS HILMI.

Par le Khédive :

*Le Président du Conseil des Ministres,*

N. NUBAR.

*Le Ministre des Finances,*

AHMER MAZLOUM.

*Le Ministre des Affaires étrangères,*

BOUTROS GHALI.

with article 5 to the present decree, shall be deducted from the sum of 40,000 pounds Egyptian provided for in the letters annexed to the Commercial Conventions concluded between Egypt and said Governments.

## ART. 9.

Our Minister of Finance is charged with the enforcement of the present decree.

Done at the Palace of Koubbeh, December 25, 1894.

ABBAS KILMI.

By the Khedive:

N. NUBAR,

*Head of the Cabinet.*

AHMER MAZLOUM,

*Minister of Finance.*

BOUTROS GHALI,

*Minister of Foreign Affairs.*

*Enforcement of decree.*

ARRÊTÉ MINISTÉRIEL DU 19 JUIN 1893 CONCERNANT LE FONCTIONNEMENT DU SERVICE SANITAIRE, MARITIME ET QUARANTENAIRE.

LE MINISTRE DE L'INTÉRIEUR,  
Vu le Décret en date du 19 juin 1893,  
ARRÊTE:

## TITRE I.

DU CONSEIL SANITAIRE, MARITIME ET QUARANTENAIRE.

## ARTICLE PREMIER.

Le Président est tenu de convoquer le Conseil Sanitaire, Maritime et Quarantenaire, en séance ordinaire, le premier mardi de chaque mois.

Il est également tenu de le convoquer lorsque trois membres en font la demande.

Il doit enfin réunir le Conseil, en séance extraordinaire, toutes les fois que les circonstances exigent l'adoption immédiate d'une mesure grave.

MINISTERIAL DECISION OF JUNE 19, 1893, CONCERNING THE OPERATION OF THE SANITARY, MARITIME, AND QUARANTINE SERVICE.

The Minister of the Interior,  
In view of the Decree of June 19, 1893,  
DECIDES:

## TITLE I.

THE SANITARY, MARITIME, AND QUARANTINE BOARD.

## ARTICLE FIRST.

The President shall be obliged to convene the Sanitary, Maritime, and Quarantine Board in regular session on the first Tuesday of each month.

He shall likewise be obliged to convene it whenever three members so request.

He shall, finally, convene the Board in extra session whenever circumstances demand the immediate adoption of an important measure.

*Operation of Khedival decree of June 19, 1893.*  
*Art. p. 66.*

*Decision of Minister of the Interior.*

*Sanitary, Maritime, and Quarantine Board.*

*Meetings.*

## ART. 2.

Questions to be considered.

La lettre de convocation indique les questions portées à l'ordre du jour. A moins d'urgence, il ne pourra être pris de décisions définitives que sur les questions mentionnées dans la lettre de convocation.

## ART. 2.

The letter of convocation shall indicate the questions to be considered. Except in cases of urgency, no final decisions shall be made on any but questions mentioned in the letter of convocation.

## ART. 3.

Minutes of meeting.

Le secrétaire du Conseil rédige les procès-verbaux des séances.

Ces procès-verbaux doivent être présentés à la signature de tous les membres qui assistaient à la séance.

Ils sont intégralement copiés sur un registre qui est conservé dans les archives concurremment avec les originaux des procès-verbaux.

Une copie provisoire des procès-verbaux sera délivrée à tout membre du Conseil qui en fera la demande.

## ART. 3.

The secretary of the Board shall prepare the minutes of the meetings.

These minutes must be presented for signature to all the members who have attended the meeting.

They shall be copied in full on a register which shall be preserved in the archives concurrently with the original minutes.

A provisional copy of the minutes shall be delivered to any member of the Board so requesting.

## ART. 4.

Permanent Board.

Une Commission permanente composée du Président, de l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire, et de deux Délégués des Puissances élus par le Conseil, est chargée de prendre les décisions et mesures urgentes.

Le Délégué de la nation intéressée est toujours convoqué. Il a droit de vote.

Le Président ne vote qu'en cas de partage.

Les décisions sont immédiatement communiquées par lettres à tous les membres du Conseil.

Cette Commission sera renouvelée tous les 3 mois.

## ART. 4.

A Permanent Board composed of the President, Inspector General of the Sanitary, Maritime, and Quarantine Service, and two Delegates of the Powers elected by the Board, shall be charged with making decisions and taking measures in urgent matters.

The Delegates of the Nation interested shall always be summoned to attend, and shall be entitled to vote.

The President shall vote only in case of a tie.

The decisions shall be communicated at once by letter to all the members of the Board.

This Board shall be renewed every three months.

## ART. 5.

Presiding officer.

Le Président, ou, en son absence, l'Inspecteur général du Service Sanitaire, Maritime et Quarantenaire, dirige les délibérations du Conseil. Il ne vote qu'en cas de partage.

Duties of President.

Le Président a la direction générale du Service. Il est chargé

## ART. 5.

The President, or, in his absence, the Inspector General of the Sanitary, Maritime, and Quarantine Service, shall direct the deliberations of the Board, but shall vote only in case of a tie.

The President shall have general direction of the service. He

de faire exécuter les décisions du Conseil.

shall be charged with causing the enforcement of the decisions of the Board.

# SECRÉTARIAT.

# SECRETARIAT.

Secretariat.

## ART. 6.

Le secrétariat, placé sous la direction du Président, centralise la correspondance tant avec le Ministère de l'Intérieur qu'avec les divers agents du Service Sanitaire, Maritime et Quarantenaire. Il est chargé de la statistique et des archives. Il lui sera ad-joint des commis et interprètes en nombre suffisant pour assurer l'expédition des affaires.

The secretary of the Board, chief of the secretariat, shall "centralize" the correspondence with the Ministry of the Interior and the various agents of the Sanitary, Maritime, and Quarantine Service. It shall be in charge of the statistics and archives. It shall have added to it clerks and interpreters in sufficient number to attend to the discharge of business.

Correspondence by secretary.

Office duties.

## ART. 7.

Le secrétaire du Conseil, chef du secrétariat, assiste aux séances du Conseil et rédige les procès verbaux.

Il a sous ses ordres les employés et gens du service du secrétariat.

Il dirige et surveille leur travail, sous l'autorité du Président.

Il a la garde et la responsabilité des archives.

## ART. 7.

The secretary of the Board, chief of the secretariat, shall attend the meetings of the Board and prepare the minutes.

He shall have under his orders the employees and servants of the secretariat.

He shall direct and supervise their work, under the authority of the President.

He shall have custody of and be responsible for the archives.

Preparation of minutes, etc.

# BUREAU DE COMPTABILITÉ.

# BUREAU OF ACCOUNTS.

Bureau of accounts.

## ART. 8.

Le chef du bureau central de la comptabilité est "agent comptable".

Il ne pourra entrer en fonctions avant d'avoir fourni un cautionnement, dont le quantum sera fixé par le Conseil Sanitaire, Maritime et Quarantenaire.

Il contrôle, sous la direction du Comité des finances, les opérations des préposés à la recette des droits sanitaires et quaranténaires.

Il dresse les états et comptes qui doivent être transmis au Ministère de l'Intérieur après avoir été arrêtés par le Comité des finances et approuvés par le Conseil.

## ART. 8.

The chief of the central bureau of accounts shall be "the accounting officer."

He shall not be permitted to assume office until he has furnished a bond the amount of which shall be fixed by the Sanitary, Maritime, and Quarantine Board.

He shall, under the direction of the Committee on Finance, supervise the operations of the employees whose duty it is to receive the sanitary and quarantine dues.

He shall draw up the statements and accounts which are to be transmitted to the Ministry of the Interior after being adopted by the Committee on Finance and approved by the Board.

Duties of accounting officer.



Sanitary inspector  
general.

DE L'INSPECTEUR GÉNÉRAL  
SANTITAIRE.

THE SANITARY INSPECTOR GEN-  
ERAL.

ART. 9.

ART. 9.

Supervisory duties,  
etc.

Art. 9, p. 69.

L'Inspecteur général sanitaire a la surveillance de tous les services dépendant du Conseil. Il exerce cette surveillance dans les conditions prévues par l'article 19 du décret en date du 19 juin 1893.

Il inspecte, au moins une fois par an, chacun des offices, agences ou postes sanitaires.

En outre, le Président détermine, sur la proposition du Conseil et selon les besoins du service, les inspections auxquelles l'Inspecteur général devra procéder.

En cas d'empêchement de l'Inspecteur général, le Président désignera, d'accord avec le Conseil, le fonctionnaire appelé à le suppléer.

Chaque fois que l'Inspecteur général a visité un office, une agence, un poste sanitaire, une station sanitaire ou un campement quarantenaire, il doit rendre compte à la Présidence du Conseil, par un rapport spécial, des résultats de sa vérification.

Dans l'intervalle de ses tournées, l'Inspecteur général prend part, sous l'autorité du Président, à la direction du service général. Il supplée le Président en cas d'absence ou d'empêchement.

The sanitary inspector general shall have supervision of all the services under the Board. He shall exercise this supervision under the conditions provided in article 19 of the Decree dated June 19, 1893.

He shall, at least once a year, inspect each of the sanitary offices, agencies, or posts.

Besides, the President shall, upon the recommendation of the Council and according to the needs of the service, determine the inspections which the Inspector General shall make.

In case of impediment of the Inspector General, the President shall designate, with the consent of the Board, the official who is to take his place.

Every time the Inspector General has visited an office, agency, sanitary post, sanitary station, or quarantine camp, he shall give an account to the President of the Board, in a special report, of the results of his inspection.

During the intervals between his rounds of inspection, the Inspector General shall, under the authority of the President, take part in the direction of the general service. He shall take the place of the President in case of absence or impediment.

TITRE II.

TITLE II.

Service of ports and  
stations.

SERVICE DES PORTS, STATIONS  
QUARANTENAIRES, STATIONS SA-  
NITAIRES.

SERVICE OF PORTS, QUARANTINE  
STATIONS, AND SANITARY STA-  
TIONS.

ART. 10.

ART. 10.

Policing of Egyptian  
coasts.

La police sanitaire, maritime et quarantenaire, le long du littoral égyptien de la Méditerranée et de la Mer Rouge, aussi bien que sur les frontières de terre du côté du désert, est confiée aux directeurs des offices de santé, directeurs des stations sanitaires ou campements

The sanitary, maritime, and quarantine policing along the Egyptian coast of the Mediterranean and Red Seas, as well as on the land frontiers, in the direction of the desert, shall be intrusted to the directors of the health offices, the directors of

quaranténaires, chefs des agences sanitaires ou chefs des postes sanitaires et aux employés placés sous leurs ordres.

## ART. 11.

Les directeurs des offices de santé ont la direction et la responsabilité du service, tant de l'office à la tête duquel ils sont placés que des postes sanitaires qui en dépendent.

Ils doivent veiller à la stricte exécution des règlements de police sanitaire, maritime et quarantenaire. Ils se conforment aux instructions qu'ils reçoivent de la Présidence du Conseil et donnent à tous les employés de leur office, aussi bien qu'aux employés des postes sanitaires qui y sont rattachés, les ordres et les instructions nécessaires.

Ils sont chargés de la reconnaissance et de l'arraisonnement des navires, de l'application des mesures quaranténaires, et ils procèdent, dans les cas prévus par les règlements, à la visite médicale, ainsi qu'aux enquêtes sur les contraventions quaranténaires.

Ils correspondent seuls pour les affaires administratives avec la Présidence, à laquelle ils transmettent tous les renseignements sanitaires qu'ils ont recueillis dans l'exercice de leurs fonctions.

## ART. 12.

Les directeurs des offices de santé sont, au point de vue du traitement, divisés en deux classes:

Les offices de 1<sup>re</sup> classe, qui sont au nombre de quatre;

Alexandrie;  
Port-Saïd;  
Bassin de Suez et campement aux Sources de Moïse;  
Tor.

Les offices de deuxième classe, qui sont au nombre de trois:

Damiette;  
Souakim;  
Kosseir.

sanitary stations or quarantine camps, the chiefs of sanitary agencies or sanitary posts, and the employees under their orders.

## ART. 11.

The directors of the health offices shall have the direction of and be responsible for the service both of the office at the head of which they are placed and of the sanitary posts thereunder.

They shall see to the strict enforcement of the regulations on sanitary, maritime, and quarantine police. They shall obey the instructions they receive from the President of the Board and shall give the necessary orders and instructions to all the employees of their office, as well as to the employees of the sanitary posts attached thereto.

They shall be charged with the examination and speaking of vessels and with the application of the Quarantine measures, and, in the cases provided by the regulations, they shall proceed to make medical inspections and inquiries regarding violations of quarantines.

In administrative matters they shall correspond only with the President, to whom they shall transmit all sanitary information which they gather while discharging their duties.

## ART. 12.

In regard to salary the directors of the health offices shall be divided into two classes:

The first class offices, which are four in number:

Alexandria;  
Port Said;  
Suez Basin and camp at Moses Spring;  
Tor.

The second class offices, three in number:

Damietta;  
Souakim;  
Kosseir.

Authority of directors of health offices.

Salaries.

## ART. 13.

## Chiefs of agencies.

Les chefs des agences sanitaires ont les mêmes attributions, en ce qui concerne l'agence, que les directeurs en ce qui concerne leur office.

## ART. 14.

## Agency at El Ariche.

Il y a une seule agence sanitaire à El Ariche.

## ART. 15.

## Duties of chiefs of sanitary posts.

Les chefs des postes sanitaires ont sous leurs ordres les employés du poste qu'ils dirigent. Ils sont placés sous les ordres du directeur d'un des offices de santé.

Ils sont chargés de l'exécution des mesures sanitaires et quaranténaires indiquées par les règlements.

Ils ne peuvent délivrer aucune patente et ne sont autorisés à viser que les patentes des bâtiments partant en libre pratique.

## Restrictions.

Ils obligent les navires qui arrivent à leur échelle avec une patente brute ou dans des conditions irrégulières à se rendre dans un port où existe un office sanitaire.

Ils ne peuvent eux-mêmes procéder aux enquêtes sanitaires, mais ils doivent appeler à cet effet le directeur de l'office dont ils relèvent.

En dehors des cas d'urgence absolue, ils ne correspondent qu'avec ce directeur pour toutes les affaires administratives. Pour les affaires sanitaires et quaranténaires urgentes, telles que les mesures à prendre au sujet d'un navire arrivant, ou l'annotation à inscrire sur la patente d'un navire en partance, ils correspondent directement avec la Présidence du Conseil; mais ils doivent donner sans retard communication de cette correspondance au directeur dont ils dépendent.

## Shipwrecks.

Ils sont tenus d'aviser, par les voies plus rapides, la Présidence du Conseil des naufrages dont ils auront connaissance.

## ART. 13.

The chiefs of the sanitary agencies shall have the same duties and powers, as regards the agency, as the directors as regards their office.

## ART. 14.

There shall be a single agency at El Ariche.

## ART. 15.

The chiefs of the sanitary posts shall have under their orders the employees of the post which they are directing. They shall be under the orders of the director of one of the health offices.

They shall be charged with the duty of carrying out the sanitary quarantine measures called for by the regulations.

They shall not be permitted to issue any bill of health or authorized to visé any bills of health except those of vessels departing with pratique.

They shall compel vessels arriving at their ports with a foul bill of health or under irregular conditions to put into a port where there is a health office.

They can not make sanitary inquiries themselves, but they must call upon the director of their office for this purpose.

Outside of cases of absolute urgency, they shall correspond only with this director in all administrative matters. In urgent sanitary and quarantine matters, such as the measures to be taken in regard to an arriving vessel, or the annotation to be made on the bill of health of a departing vessel, they shall correspond directly with the President of the Board; but they must communicate this correspondence to their director without delay.

They shall be obliged to give notice, by the quickest route, to the President of the Board regarding shipwrecks of which they have knowledge.

## ART. 16.

Les postes sanitaires sont au nombre de six énumérés ciaprès:

Postes du Port-Neuf, d'Aboukir, Brullos et Rosette, relevant de l'office d'Alexandre;

Postes de Kantara et du port intérieur d'Ismailia, relevant de l'office de Port-Saïd.

Le Conseil pourra, suivant les nécessités du service, et suivant ses ressources, créer de nouveaux postes sanitaires.

## ART. 16.

The sanitary posts shall be six in number, as follows:

Posts of Port Neuf, Aboukir, Brullos, and Rosetta, under the Alexandria office.

Posts of Kantara and of the inland port of Ismailia, under the Port Said office.

The Board may create new sanitary posts, according to the needs of the service and its resources.

Sanitary posts.

## ART. 17.

Le service permanent ou provisoire des stations sanitaires et des campements quaranténaires est confié à des directeurs qui ont sous leurs ordres des employés sanitaires, des gardiens, des portefaix et des gens de service.

## ART. 17.

The permanent or temporary service of the sanitary stations and quarantine camps shall be intrusted to directors having under their orders sanitary employees, guards, porters, and servants.

Directors to have charge of stations and camps.

## ART. 18.

Les directeurs sont chargés de faire subir la quarantaine aux personnes envoyées à la station sanitaire ou au campement. Ils veillent, de concert avec les médecins, à l'isolement des différentes catégories de quaranténaires et empêchent toute compromission. A l'expiration du délai fixé, ils donnent la libre pratique ou la suspendent conformément aux règlements, font pratiquer la désinfection des marchandises et des effets à usage, et appliquent la quarantaine aux gens employés à cette opération.

## ART. 18.

It shall be the duty of the directors to compel persons sent to the sanitary station or the camp to submit to quarantine. They shall cooperate with the physicians in isolating the different categories of quarantined persons and in preventing any jeopardization. Upon the expiration of the period fixed, they shall grant or withhold pratique in accordance with the regulations, cause merchandise and wearing apparel to be disinfected, and apply quarantine to the persons employed in this operation.

Authority.

## ART. 19.

Ils exercent une surveillance constante sur l'exécution des mesures prescrites, ainsi que sur l'état de santé des quaranténaires et du personnel de l'établissement.

## ART. 19.

They shall exercise constant supervision over the execution of the measures prescribed, as well as over the state of health of the quarantined persons and the employees of the establishment.

Supervision of health matters, etc.

## ART. 20.

Ils sont responsables de la marche du service et en rendent compte, dans un rapport journalier, à la Présidence du Conseil Sanitaire, Maritime et Quarantenaire.

## ART. 20.

They shall be responsible for the progress of the service and shall give an account thereof, in a daily report, to the President of the Sanitary, Maritime, and Quarantine Board.

Responsibility, etc.

## ART. 21.

Physicians, etc., at  
stations and camps.

Les médecins attachés aux stations sanitaires et aux campements quaranténaires relèvent des directeurs de ces établissements. Ils ont sous leurs ordres le pharmacien et les infirmiers.

Ils surveillent l'état de santé des quaranténaires et du personnel, et dirigent l'infirmerie de la station sanitaire ou du campement.

La libre pratique ne peut être donnée aux personnes en quarantaine qu'après visite et rapport favorable du médecin.

## ART. 21.

The physicians attached to the sanitary stations and quarantine camps shall be under the directors of these establishments. They shall have the druggists and hospital attendants under their orders.

They shall watch over the state of health of the quarantined persons and of the employees, and shall direct the infirmary of the sanitary station or of the camp.

Pratique shall not be granted to persons in quarantine until an inspection and favorable report have been made by the physician.

## ART. 22.

Director also an ac-  
counting officer.

Dans chaque office sanitaire, station sanitaire ou campement quarantenaire, le directeur est aussi "agent comptable".

Il désigne, sous sa responsabilité personnelle effective, l'employé préposé à l'encaissement des droits sanitaires et quaranténaires.

Chiefs of agencies and  
posts.

Les chefs d'agences ou postes sanitaires sont également agents comptables; ils sont chargés personnellement d'effectuer la perception des droits.

Agents for collecting  
dues.

Les agents chargés du recouvrement des droits doivent se conformer, pour les garanties à présenter, la tenue des écritures, l'époque des versements, et généralement tout ce qui concerne la partie financière de leur service, aux règlements émanant du Ministère des Finances.

## ART. 22.

In each sanitary office, sanitary station, or quarantine camp, the director shall also be "accounting officer."

He shall, under his own actual personal responsibility, designate the employee to be in charge of the receipt of the sanitary and quarantine dues.

The chiefs of sanitary agencies or posts shall also be accounting officers, and shall be personally charged with collecting the dues.

The agents charged with the collection of the dues must conform, as regards the guarantees to be given, the keeping of the documents, the time of payments, and in general everything relating to the financial part of their service, to the regulations issued by the Ministry of Finance.

## ART. 23.

Expenses.

Les dépenses du Service Sanitaire, Maritime et Quarantenaire seront acquittées par les moyens propres du Conseil, ou d'accord avec le Ministère des Finances, par le service des caisses qu'il désignera.

Le Caire, le 19 juin 1893.

RIAZ.

## ART. 23.

The expenses of the Sanitary, Maritime, and Quarantine Service shall be defrayed with the means at the disposal of the Board itself, or, with the consent of the Ministry of Finance, from such fund as the latter may designate.

Cairo, June 19, 1893.

RIAZ.

And Whereas the said Convention was duly ratified by the Government of the United States of America, by and with the advice and consent of the Senate thereof, subject to the understanding that "nothing contained in Article 9 of the said Convention shall be deemed to prevent the United States from carrying out any special quarantine measures against the infection of its ports which might be demanded by unusual sanitary conditions;" and by the Governments of Belgium, Denmark, Ecuador, Spain, France, Great Britain, Italy, Norway, Panama, The Netherlands, Persia, Portugal, Sweden, Switzerland, and Egypt, and their ratifications were, in pursuance of Article 160 of the said Convention, deposited with the Government of the French Republic on October 7, 1920;

Ratified with reservation.  
*Ante*, p. 12.  
 Powers ratifying.

And Whereas the ratification of the United States of America was so deposited subject to the understanding hereinbefore recited;

Ratification deposited.

Now, therefore, be it known that I, Woodrow Wilson, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof, subject to the aforesaid understanding.

Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done in the District of Columbia this eleventh day of December in the year of our Lord one thousand nine hundred and  
 [SEAL.] twenty, and of the Independence of the United States of America the one hundred and forty-fifth.

WOODROW WILSON

By the President:

NORMAN H. DAVIS

*Acting Secretary of State.*

[Translation.]

PROCÈS-VERBAL DU DÉPÔT DES  
 RATIFICATIONS SUR LA CON-  
 VENTION SANITAIRE INTERNA-  
 TIONALE SIGNÉE À PARIS LE 17  
 JANVIER 1912.

PROCES-VERBAL OF THE DEPOSIT  
 OF THE RATIFICATIONS OF THE  
 INTERNATIONAL SANITARY CON-  
 VENTION SIGNED AT PARIS, JAN-  
 UARY 17, 1912.

Minute of deposit of  
 ratifications.

En exécution de l'article 160 de la Convention Sanitaire Internationale signée à Paris le 17 janvier 1912, par l'Allemagne, les États-Unis d'Amérique, la République Argentine, l'Autriche-Hongrie, la Belgique, la Bolivie, le Brésil, la Bulgarie, le Chili, la Colombie, Costa-Rica, Cuba, le Danemark, l'Équateur, l'Espagne, la France, le Royaume-Uni de Grande-Bretagne et d'Irlande, la Grèce, le Guatemala, Haïti, le Honduras, l'Italie, le Luxembourg, le Mexique, le Monténégro, la Norvège, Panama, les Pays-Bas, la Perse, le Portugal, la Roumanie, la Russie, le Salvador, la Serbie, le Siam, la Suède, la Suisse, la Turquie, l'Égypte et l'Uruguay, les soussignées se sont réunis au Ministère des Affaires Étrangères

In execution of Article 160 of the International Sanitary Convention signed at Paris, January 17, 1912, by Germany, the United States of America, the Argentine Republic, Austria-Hungary, Belgium, Bolivia, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cuba, Denmark, Ecuador, Spain, France, the United Kingdom of Great Britain and Ireland, Greece, Guatemala, Haiti, Honduras, Italy, Luxemburg, Mexico, Montenegro, Norway, Panama, the Netherlands, Persia, Portugal, Roumania, Russia, Salvador, Servia, Siam, Sweden, Switzerland, Turkey, Egypt and Uruguay, the undersigned met at the Ministry of Foreign Affairs at Paris to proceed under the conditions hereinbelow stated with the deposit into the

Statement of signers.

à Paris pour procéder, dans les conditions ci-après, au premier dépôt entre les mains du Gouvernement de la République Française, des ratifications sur ladite Convention des Gouvernements qu'ils représentent.

**Declarations.**

By British Government.

LE REPRÉSENTANT DU GOUVERNEMENT BRITANNIQUE a déclaré que:

"Les stipulations de cette Convention ne seront applicables à aucune des colonies, possessions ou protectorats de S. M. Britannique, y compris l'Empire des Indes. Toutefois, le Gouvernement britannique réserve à chacune de ses colonies et possessions et à chacun de ses protectorats, y compris l'Empire des Indes, le droit d'adhérer à la Convention, dès que l'un de ces Gouvernements en aura manifesté le désir, ainsi que la faculté de la dénoncer séparément sans être lié par les décisions du Gouvernement britannique relatives au Royaume-Uni. Chaque fois qu'une des colonies, qu'une des possessions ou qu'un des protectorats britanniques adhérerà à la Convention ou la dénoncera, une notification à cet effet sera adressée par le Représentant de S. M. Britannique à Paris au Ministre des Affaires étrangères de la République française, au nom de telle colonie, telle possession ou tel protectorat.

"Il est entendu par le Gouvernement britannique que le droit de dénoncer la présente Convention, ainsi que celui des Puissances de se concerter en vue d'introduire des modifications dans le texte de la Convention, subsiste conformément aux dispositions de la Convention de Venise de 1897 et de celle de Paris de 1903."

By Government of United States.

LE REPRÉSENTANT DU GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE a déclaré que son Gouvernement a ratifié, sous la réserve que rien dans l'article 9 de la Convention ne sera considéré comme interdisant aux États-Unis de prendre des mesures spéciales de quarantaine contre la contamination de leurs ports qui pour-

*Ante*, p. 12.

hands of the Government of the French Republic of the ratifications of the said Convention by the Governments they represent.

THE REPRESENTATIVE OF THE BRITISH GOVERNMENT declared that:

"The stipulations of that Convention should not apply to any one of the colonies, possessions or protectorates of His Britannic Majesty, the Empire of India included. However, the British Government reserves for each of its colonies, possessions and protectorates, including the Empire of India, the right to adhere to the Convention as soon as any one of those governments should have manifested a desire so to do, and also the power to give a separate notice of termination without being bound by the decision of the British Government relative to the United Kingdom. Whenever any one of the British colonies, possessions or protectorates shall adhere to or denounce the Convention, a notice to that effect shall be given by the representative of His Britannic Majesty at Paris to the Ministry of Foreign Affairs of the French Republic in behalf of the aforesaid colony, possession or protectorate.

"It is understood by the British Government that the right to denounce the present Convention as well as that of the Powers to devise modifications in the texts of the Convention subsists in accordance with the provisions of the Convention of Venice of 1897, and of that of Paris of 1903."

THE REPRESENTATIVE OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA declared that his Government ratified, subject to the reservation that nothing in Article 9 of the Convention shall be considered as prohibiting the United States from taking such specific quarantine methods against the contamination of its

raient être exigées par des conditions sanitaires insolites. En faisant cette réserve, le Gouvernement des États-Unis n'a pas l'intention d'enfreindre d'une manière quelconque les règles fondamentales de la Convention.

LE REPRÉSENTANT DU GOUVERNEMENT ESPAGNOL a déclaré que son Gouvernement se réserve le droit d'interpréter dans son sens le plus large et selon les principes scientifiques de l'hygiène moderne le paragraphe 2 de l'article 9, afin d'éviter, dans la mesure du possible, que la peste et la fièvre jaune ne soient importées dans des ports espagnols, mais il déclare qu'il ne s'agit pas pour lui de refuser son adhésion à rien de ce qui touche aux points fondamentaux de la Convention.

LE REPRÉSENTANT DU GOUVERNEMENT DE PANAMA a déclaré que son Gouvernement a ratifié sous la réserve que les dispositions contenues dans l'article 9 n'empêcheront pas le Gouvernement de Panama ou celui des États-Unis, conformément au traité signé entre les deux Pays le 18 novembre 1903, de prescrire dans les ports de la zone du canal et dans ceux qui sont soumis à la juridiction de la République de Panama les mesures de quarantaine qu'exigeraient les circonstances.

Les soussignés donnent acte des réserves ci-dessus exprimées et déclarent que leurs pays respectifs se réservant le droit d'en invoquer le bénéfice à l'égard des provenances des États-Unis d'Amérique, de l'Espagne et de Panama.

Les instruments de ratification produits aujourd'hui, ayant été trouvés, après examen, en bonne et due forme, sont confiés au Gouvernement de la République française pour être déposés dans les Archives du Département des Affaires Étrangères.

En ce qui concerne les ratifications par les Puissances signataires de la Convention, qui n'ont pas été en mesure de procéder dès aujourd'hui à leur dépôt, le Gou-

ports as may be required by unwonted sanitary conditions. In making this reservation the United States Government does not intend to infringe in any way the fundamental regulations of the Convention.

THE REPRESENTATIVE OF THE SPANISH GOVERNMENT declared that his Government reserves to itself the right of interpreting in the broadest sense possible and in accordance with the scientific principles of modern hygiene, paragraph 2 of Article 9, in order to avoid so far as possible the importation into Spanish ports of the plague and yellow fever, but declares that it is not in mind to refuse its adhesion to anything affecting the fundamental points of the Convention.

THE REPRESENTATIVE OF THE GOVERNMENT OF PANAMA declared that his Government ratified, subject to the reservation that the provisions of Article 9 would not prevent the Government of Panama or that of the United States, in accordance with the treaty signed between the two countries under date of November 18, 1903, from ordering in the ports of the Canal Zone and in those under the jurisdiction of the Republic of Panama such quarantine measures as circumstances may require.

The undersigned made a formal acknowledgment of the reservations hereinabove stated and declared that their respective countries reserved to themselves the right to claim the benefit thereof with respect to arrivals from the United States of America, Spain and Panama.

The instruments of ratification produced on this date having been found upon examination to be in due form are entrusted to the French Republic to be deposited in the archives of the Department of Foreign Affairs.

With regard to the ratifications of the Powers signatory to the Convention which were not in position to deposit on this date, the French Republic will receive them

By Spanish Government.

Annex, p. 12.

By Government of Panama.

Annex, p. 12.

Vol. 23, p. 2236.

Acknowledgment of reservations.

Deposit of ratification.

Notification of further ratifications.



vernement de la République Française les recevra ultérieurement et en donnera avis à toutes les Puissances contractantes.

Signatures.

EN FOI DE QUOI a été dressé le présent procès-verbal dont une copie certifiée conforme sera adressée, par les soins du Gouvernement de la République Française, à chacune des Puissances signataires de la Convention sanitaire du 17 janvier 1912.

FAIT à Paris, le 7 octobre 1920, à seize heures.

Pour les États-Unis d'Amérique

HUGH C. WALLACE.

Pour la Belgique

E. DE GAIFFIER.

Pour le Danemark

H. A. BERNHOFT.

Pour l'Équateur

E. DORN Y DE ALSUA.

Pour l'Espagne

J. QUINONES DE LEON.

Pour la France

G. LEYGUES.

Pour la Grande-Bretagne

DERBY.

Pour l'Italie

BONIN.

Pour la Norvège

FR. JAKHELLN.

Pour la République de Panama

R. A. AMADOR.

Pour les Pays-Bas

J. LOUDON.

Pour la Perse

M. SAMAD.

Pour le Portugal

ALF. DE MESQUITA.

Pour la Suède

G. DE REUTERSKIÖLD.

Pour la Suisse

DUNANT.

Pour l'Égypte

DERBY.

Copie certifiée conforme:

*Pour le Président du Conseil,  
Ministre des Affaires Étran-  
gères,*

*Le Ministre Plénipotentiaire,  
Chef du Service du Protocole,  
P DE FOUQUIÈRES*

later and so notify all the contracting Powers.

IN WITNESS WHEREOF the present procès-verbal, of which a certified copy will be sent by the Government of the French Republic to each one of the Powers signatory to the Sanitary Convention of January 17, 1912, was drawn up.

DONE at Paris, October 7, 1920, at 16 o'clock:

For the United States of America

HUGH C. WALLACE

For Belgium

E. DE GAIFFIER

For Denmark

H. A. BERNHOFT

For Ecuador

E. DORN Y DE ALSUA

For Spain

J. QUINONES DE LEON

For France

G. LEYGUES

For Great Britain

DERBY

For Italy

BONIN

For Norway

FR. JAKHELLN

For the Republic of Panama

R. A. AMADOR

For the Netherlands

J. LOUDON

For Persia

M. SAMAD

For Portugal

ALF. DE MESQUITA

For Sweden

G. DE REUTERSKIÖLD

For Switzerland

DUNANT

For Egypt

DERBY

A true copy:

*For the President of the Council,  
Minister of Foreign Affairs,*

*P DE FOUQUIÈRES  
Minister Plenipotentiary,  
Chief of the Protocol.*

*Convention between Spain and the United States of America concerning the exchange of parcel posts. Signed at Madrid February 4, 1921, at Washington March 1, 1921; approved by the President, March 2, 1921.*

February 4, 1921.  
March 1, 1921.

CONVENTION BETWEEN  
SPAIN AND THE UNITED  
STATES OF AMERICA CON-  
CERNING THE EXCHANGE  
OF PARCEL POSTS.

CONVENIO DE PAQUETES  
POSTALES ENTRE ES-  
PAÑA Y LOS ESTADOS  
UNIDOS DE AMÉRICA.

For the purpose of making better postal relations between Spain and the United States of America, the undersigned Excmo. Sr. Count de Colombi, Director General of Posts and Telegraphs of Spain, and Albert Sidney Burleson, Postmaster General of the United States, in virtue of the powers that have been conferred upon them, have agreed upon the following conditions, with the object of establishing a system of exchange of parcel posts between the two countries.

Con el fin de estrechar las relaciones postales entre España y los Estados Unidos de América, los infrascritos, Excmo. Sr. Conde de Colombi, Director general de Correos y Telégrafos, y Albert Sidney Burleson, Postmaster General de los Estados Unidos de América, han acordado, en virtud de los poderes que les han sido conferidos, las disposiciones siguientes, con objeto de establecer un sistema de cambio de paquetes postales entre los dos países.

Parcel post convention with Spain.  
Preamble.

Article I.

The provisions of this Convention apply exclusively to the exchange of parcel post mails according to the system herein provided for. It does not change in any way the arrangements now existing in virtue of the Universal Postal Convention, which will continue in force; all the following provisions apply only to the parcels exchanged in virtue of the articles of this Convention.

Artículo I.

Las disposiciones del presente Convenio son aplicables exclusivamente al cambio de paquetes postales, según las reglas que establece. No modifican en nada los Acuerdos actualmente existentes en virtud del Convenio postal universal, los cuales continuarán en vigor; todas las disposiciones siguientes se refieren únicamente a los paquetes cambiados en virtud de los artículos del presente Convenio.

Scope of convention.

Article II.

1. Except the objects expressly prohibited by Article III, there can be exchanged, under the conditions of this Convention, merchandise and other postal matter that are admitted under any form to the domestic mails of the country of origin and of the country of destination. Nevertheless,

Artículo II.

1. A excepción de los objetos expresamente prohibidos por el artículo III, pueden cambiarse, bajo las condiciones del presente Convenio, mercancías y otros objetos postales que sean admitidos bajo cualquier forma a la circulación en el servicio interior del país de origen y del país de destino.

Articles admitted to the mails.  
Post, p. 88.

Requirements.

no parcel shall weigh more than 5 kilos or 11 pounds, nor exceed the following dimensions: greatest length in any direction, 1 meter, 5 centimeters (3 feet, 6 inches) greatest length and circumference combined, 1 meter, 80 centimeters (6 feet).

Heavier parcels.

2. However, there is reserved to the Postal Administrations of the two countries the right to determine further, in common agreement, if their respective regulations permit it, the rates and conditions applicable to parcel posts of greater weight.

Packing, etc.

3. Each parcel shall bear the exact address of the addressee and shall be packed in a manner corresponding to the duration of the journey, to properly preserve the contents, and to permit the Customs or postal officials to easily verify the contents.

### Article III.

Articles prohibited.

1. There are excluded from transportation: parcels containing letters or communications having the character of personal correspondence (however, it is permitted to enclose in the parcel an open waybill or invoice in the most simple form); live animals, except bees properly packed; dead animals, except insects and reptiles completely dried; fruits and vegetables that easily decompose; publications that violate the copyright laws in force in the country of destination; poisons and explosive or inflammable substances; liquids or substances that easily liquefy; tickets, advertisements or circulars relative to lotteries; all objects that are obscene or contrary to good morals objects the admission of which is not authorized by the Customs laws or other laws and by the Regulations of either country and in general, all objects the transportation of which is considered dangerous.

Erroneous transmittals.

2. In the case in which a parcel included in these prohibitions or that does not fulfill the

Sin embargo, ningún paquete podrá pesar más de 5 kgs. u 11 libras, ni exceder de las dimensiones siguientes: longitud máxima en cualquier sentido, 1 metro 5 centímetros (tres pies seis pulgadas); longitud máxima y circunferencia combinadas, 1 metro 80 centímetros (seis pies).

2. Sin embargo, se reserva a las Administraciones de Correos de los dos países el derecho de determinar ulteriormente, de común acuerdo, si sus Reglamentos respectivos lo permiten, los precios y condiciones aplicables a los paquetes postales de mayor peso.

3. Cada paquete debe llevar la dirección exacta del destinatario y deberá estar embalado de manera que responda a la duración del transporte, preserve eficazmente el contenido y permita a los empleados de Aduanas o de Correos, comprobar fácilmente el contenido.

### Artículo III.

1. Están excluidos del transporte los paquetes que contengan cartas o comunicaciones que tengan carácter de correspondencia personal (sin embargo, está permitido incluir en el envío una hoja de ruta o factura abierta en la forma más sencilla); animales vivos, excepto las abejas convenientemente acondicionadas; animales muertos, salvo los insectos y reptiles completamente disecados; frutas y vegetales que se descompongan fácilmente; publicaciones que infrinjan las leyes sobre la propiedad literaria, en vigor en el país de destino, venenos y materias explosivas o inflamables, sustancias líquidas o que se liquiden fácilmente, billetes, anuncios o circulares relativos a loterías; todos los objetos obscenos o contrarios a las buenas costumbres; los objetos cuya admisión no esté autorizada por las leyes de Aduanas u otras y por los Reglamentos de uno u otro país, y en general, todos los objetos cuyo transporte pueda considerarse como peligroso.

2. En el caso en que un paquete incluido en estas prohibiciones o que no reuna las condiciones del

conditions of Article II, is delivered by one Administration to the other, the latter will proceed in the manner and form provided by its legislation and by its interior regulations.

3. All packages of merchandise admitted by the present Convention, mailed in one country destined for the other, or received in one country from the other, shall not be liable to any examination or detention, except that which is necessary for the receipt of the Customs dues. They shall be despatched to their destination by the most rapid means, and shall be subject, in regard to their transmission, to the respective laws and regulations of each country.

#### Article IV.

No parcel shall contain at the same time, parcels with a different address from that indicated on the parcel itself. If any parcels of this kind are discovered, they shall be despatched separately and there shall be applied to them a new and distinct rate, according to the parcel post tariff.

#### Article V.

1. The full prepayment of postage is obligatory. The rates payable on despatch shall be the following:

2. In the United States for a parcel not exceeding one pound (460 grams), 12 cents; for each additional pound (460 grams), or fraction thereof, up to the maximum of 11 pounds, 12 cents.

3. In Spain, for a parcel not exceeding one kilogram, one peseta 75 centimos; for a parcel weighing between one and three kilograms, 2 pesetas 50 centimos; when the parcel exceeds three kilograms up to five kilograms, 3 pesetas 50 centimos.

4. The parcels shall be delivered immediately to the addressees, according to the interior

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artículo II, se entregue por una de las Administraciones a la otra, ésta procederá de la manera y forma previstas por su legislación y por sus reglamentos interiores.

3. Todas las mercancías admitidas por el presente Convenio y depositadas en un país con destino al otro o recibidas en un país procedentes del otro no estarán sometidas a examen o retención, salvo lo estrictamente necesario para la percepción de los derechos de Aduanas. Serán encaminadas a su destino por los medios más rápidos y serán sometidas, en cuanto a su transmisión, a las leyes y reglamentos respectivos de cada país.

#### Artículo IV.

Ningún paquete podrá contener a su vez, paquetes con dirección distinta a la indicada en el mismo paquete. Si se descubriesen paquetes de este género serán cursados separadamente y se les aplicará un nuevo y distinto porte, conforme a la tarifa de paquetes postales.

#### Artículo V.

1. El franqueo de los paquetes postales es obligatorio. Los portes pagadores a la salida, serán los siguientes:

2. En los Estados Unidos, por un paquete que no exceda de una libra (o cuatrocientos sesenta gramos), 12 centavos; por cada libra adicional (o cuatrocientos sesenta gramos, o fracción de este peso) hasta el máximo de 11 libras, 12 centavos.

3. En España, por un paquete que no exceda de un kilogramo, una peseta 75 céntimos; por un paquete que exceda de un kilogramo hasta tres, dos pesetas cincuenta céntimos; cuando el paquete exceda de tres kilogramos hasta cinco, tres pesetas cincuenta céntimos.

4. Los paquetes serán entregados inmediatamente a los destinatarios, conforme a los regla-

Freedom from inspection, etc.

No inclosure for other address.

Rates of postage.

In United States.

In Spain.

Delivery.

regulations of the country of destination, with the costs of transportation free. However, the country of destination shall have the privilege of collecting from the addressee for interior service and delivery, a fee which it will determine by its own regulations; but in no case shall it exceed five cents in the United States and 75 centimos in Spain for each parcel, whatever its weight.

Customs dues, etc.

5. Each parcel shall be subject in the country of destination to all the Customs dues and regulations in force in that country to assure the collection of the Customs dues; the Customs dues, as well as any other dues, shall be collected on delivery, according to the regulations of the country of destination.

#### Article VI.

Receipt.

The sender shall receive, at the time of mailing, a receipt on a special form for this purpose, in accordance with the form in use in the country of origin.

#### Article VII.

Customs declaration, etc.

1. Each parcel must be accompanied by a dispatch note and by customs declarations in conformity with, or analogous to, the form in use in the country of origin, and in as many copies as the necessities of the country of destination shall require.

Restriction.

2. One dispatch note and, if the customs laws of the countries of destination permit, one customs declaration or set of declarations, may be used for two or three (but not more) parcels sent by the same sender to the same addressee.

Nonresponsibility for errors.

3. The administrations decline all responsibility for the correctness of the customs declarations.

Registry number, etc.

4. Each parcel, as well as the dispatch note relating to it must bear a label indicating the registry number and the name of the office of origin.

mentos interiores del país de destino, con franquicia de los gastos de transporte. Sin embargo, el país de destino tendrá la facultad de percibir del destinatario por servicio interior y distribución, un derecho que se determinará en sus propios reglamentos; pero, que en ningún caso excederá de cinco centavos en los Estados Unidos y 75 céntimos en España por cada paquete, cualquiera que sea su peso.

5. Cada paquete será sometido en el país de destino a todos los derechos y reglamentos de aduanas en vigor en este país para asegurar la percepción de los derechos de aduanas; estos derechos, así como cualesquiera otros, deberán percibirse en el acto de la entrega, conforme a los reglamentos del país de destino.

#### Artículo VI.

Se entregará al remitente, en el momento de la imposición, un recibo extendido en un impreso ad hoc, de acuerdo con el modelo en uso en el país de origen.

#### Artículo VII.

1. Cada paquete debe ir acompañado de un boletín de expedición, y con declaraciones aduaneras conformes o análogas al modelo que se use en el país de origen, y en cuantas copias exijan las necesidades del país de destino.

2. Un boletín de expedición, y, si las leyes aduaneras del país de destino lo permiten, una declaración aduanera o conjunto de declaraciones, podrá usarse para dos o tres (pero no mas) paquetes enviados por el mismo remitente al mismo destinatario.

3. Las administraciones declinan toda responsabilidad en cuanto a la exactitud de las declaraciones aduaneras.

4. Cada paquete así como el boletín de expedición correspondiente, debe llevar una etiqueta que señale el número de registro y el nombre de la oficina de origen.

5. The dispatch note shall, moreover, be impressed by the office of origin with a stamp indicating the date and place of posting.

6. In case a dispatch note is not in use in the country of origin, it shall be permissible for such country to substitute therefor an additional copy of its customs declaration.

5. En el boletín de expedición, se pondrá, además, por la oficina de origen una estampilla que indique la fecha y lugar del envío.

6. En el caso de que el boletín de expedición no sea usado en el país de origen, será permitida en este país su substitución por una copia adicional de la declaración aduanera.

Posting stamp.

Substitute for dispatch note.

#### Article VIII.

Each country shall reserve entirely for itself the whole of the postage and delivery fees that it collects for the parcel posts that are exchanged in virtue of this Convention, with the exception of that provided in Article XII, and in the following paragraph.

The Post Office Department of the United States shall pay to that of Spain for the maritime transit between the Peninsula and the Balearic Islands, 25 centimos, between the Peninsula and the Canary Islands, 50 centimos and between the Peninsula and the Spanish possessions of Northern Africa 25 centimos for each parcel. The details relative to the accounts to which these payments give rise, as well as their settlement, shall be agreed upon by correspondence between the contracting Administrations.

Cada país se reservará por entero y para sí el total de los derechos de transporte y entrega que perciba por los paquetes postales que se cambien en virtud del presente Convenio, con la excepción de lo prevenido en el artículo XII, y en el párrafo siguiente. La Administración de Correos de los Estados Unidos pagará a la de España por el tránsito marítimo entre la Península y las islas Baleares 25 céntimos, entre la Península y las islas Canarias 50 céntimos, y entre la Península y las posesiones españolas del Norte de África 25 céntimos por cada paquete. Los detalles relativos a las cuentas a que den lugar estos pagos, así como su liquidación, serán convenidos por correspondencia, entre las dos Administraciones contratantes.

Retention of fees.

Post, p. 92.

Maritime transit to Spanish possessions.

#### Article IX.

1. The parcels shall give rise to the formation of despatches which will be exchanged directly between Spain and the United States. The country of origin shall send its despatches to the country of destination at its expense and by the means that it has at its disposal. The parcels shall be transmitted at the choice of the despatching Office, either in boxes or baskets especially constructed for this purpose, or in sacks that bear the words: "Parcel Post", "Paquetes postales", and carefully sealed and tied by means of wax seals or by any other process according to what may be mutually agreed upon by the contracting parties.

#### Artículo IX.

1. Los paquetes darán lugar a la formación de despachos que se cambiarán directamente entre España y los Estados Unidos. El país de origen deberá expedir sus despachos al país de destino a sus expensas y por los medios de que disponga. Los paquetes deberán ser transmitidos a elección de la Administración expedidora, ya sea en cajas o cestos especialmente contruidos a este efecto, ya sea en sacas que lleven la indicación "Parcel Post" "Paquetes postales", cerrados y precintados cuidadosamente por medio de sellos de lacre o cualquier otro procedimiento con arreglo a lo que mutuamente se convenga por las partes contratantes.

Method of transportation.

Return of empty  
sacks.

2. Each country shall return to the despatching Office by the first mail all the empty sacks, or other receptacles, unless there exists an agreement to the contrary.

#### Article X.

Parcel bill.

Post, p. 97.

The parcels shall be entered by the despatching office of exchange on a parcel bill, in conformity with or analogous to, the model annexed to the present convention, with all the details required by this form. The dispatch notes and customs declarations must be securely attached to the parcel bill, which shall be enclosed in one of the receptacles that make up the dispatch.

#### Article XI.

Receipt of mail.

Substitute parcel  
bill.

Correction of errors.

Nonreceipt of parcel.

Insufficient postage.

Damaged parcels.

1. At the moment at which the despatch arrives at the office of destination, this office shall examine its contents.

2. If the parcel bill does not accompany the despatch, one shall be made out, officially, at once.

3. All the errors that are observed in the notations of the parcel bill, after they have been verified by a second employee, shall be corrected and noted, so as to place them in the information of the despatching office by means of a "Bulletin of Verification", which will be promptly despatched under a special envelope.

4. If a parcel noted on the parcel bill be not received and when the shortage has been proved by a second employee, the corresponding entry on the parcel bill shall be canceled, and an account of the fact shall be given immediately to the despatching exchange office.

5. If it be shown that a parcel has been insufficiently prepaid, it must not be taxed with deficient postage, but an account of the fact shall be given to the despatching office by means of a Bulletin of Verification.

6. If a parcel arrives damaged or in bad order, there shall be shown, by means of a Bulletin of Verification sent to the despatch-

2. Cada país devolverá a la Oficina expedidora por el primer correo todas las sacas u otros envases vacíos, salvo que exista acuerdo en contrario.

#### Artículo X.

Los paquetes serán inscritos por la oficina de cambio de expedición, en una hoja de ruta, conforme o análoga al modelo anexo a este Convenio, con todos los detalles exigidos por este modelo. Los boletines de expedición y las declaraciones aduaneras irán unidos sólidamente a la hoja de ruta que deberá incluirse en uno de los receptáculos que formen la expedición.

#### Artículo XI.

1. En el momento en que el despacho llegue a la oficina de destino, ésta examinará el contenido.

2. Si la hoja de ruta no acompañase al despacho, se formará una, de oficio, inmediatamente.

3. Todos los errores que se observen en las anotaciones de la hoja de ruta, después de comprobados por un segundo empleado, serán rectificadas y anotados, para ponerlos en conocimiento de la oficina expedidora por medio de un Boletín de rectificaciones que será enviado bajo un sobre especial.

4. Si no se recibiese alguno de los paquetes anotados en la hoja de ruta y una vez que la falta haya sido comprobada por un segundo empleado, se anulará la inscripción correspondiente en la hoja y se dará cuenta del hecho inmediatamente.

5. Si se comprobare que un paquete está insuficientemente franqueado no se les pondrá la tasa de franqueo insuficiente; sino que se dará cuenta del hecho a la oficina remitente por medio de un "Boletín de rectificaciones".

6. Si un paquete llegase averiado o en malas condiciones se hará constar, y de una manera detallada, la avería o deterioro

ing office, the damage or deterioration.

7. If there be not received any Bulletin of Verification, nor any notice of irregularity, the despatch will be considered as properly made in all respects, and will be considered as received without reservation.

## Article XII.

1. All parcels despatched by mistake shall be returned at once to the despatching office of exchange. An account shall be given of the error by means of a Bulletin of Verification.

2. The sender of a parcel which cannot be delivered to the addressee or that has been refused by him, shall be consulted, through the Administration of the country of origin; in respect to what should be done with the said parcel. If, in a period of two months counting from the date of the notice of detention, the instructions of the sender shall not have been received, the parcel shall be returned to its origin.

For the parcels returned from Spain to the United States of America, from not having been delivered, or at the request of the sender, the Post Office Department of the United States shall pay to that of Spain, the following:

75 centimos per parcel, for the territorial transit from the receiving office of exchange in Spain to the Spanish office of destination.

75 centimos per parcel, for the territorial transit from the Spanish office of destination to the Spanish exchange office of despatch and

50 centimos for each kilogram, for the maritime transit from the Spanish exchange office of despatch to the United States exchange office of origin.

When it is a question of parcels returned from the Balearic Islands, the Canaries or the Spanish possessions of Northern Africa, to these sums shall have to be added;

en un Boletín de rectificaciones enviado a la oficina expedidora.

7. Si ésta no recibiese el "Boletín de rectificaciones", ni aviso alguno de irregularidad, considerará el envío como regularmente efectuado bajo todos aspectos y lo considerará como recibido sin reservas.

## Artículo XII.

1. Todo paquete recibido por error de expedición, será devuelto inmediatamente a la oficina de cambio expedidora. Del error se dará cuenta por medio de un "Boletín de rectificaciones."

2. El remitente de un paquete que no pueda ser entregado al destinatario o que haya sido rehusado por éste, deberá ser consultado, por mediación de la Administración del país de origen, respecto a lo que haya de hacerse con dicho paquete. Si en un plazo de dos meses, a contar de la fecha del aviso de detención, no se hubieren recibido instrucciones del remitente, el paquete será devuelto a su origen.

Por los paquetes devueltos de España a los Estados Unidos de América, por no haber sido entregados, o a petición del remitente, la Administración de Correos de los Estados Unidos de América pagará a la de España, lo siguiente:

75 céntimos por paquete, por el tránsito territorial de la oficina de cambio receptora en España a la oficina española de destino;

75 céntimos por paquete, por el tránsito territorial de la oficina española de destino a la oficina de cambio española de expedición; y

50 céntimos por cada kilogramo, por el tránsito marítimo desde la oficina de cambio española de expedición a la oficina de cambio norteamericana de origen.

Cuando se trate de paquetes devueltos desde las islas Baleares, Canarias o posesiones españolas del Norte de África, a estas cantidades habrán de agregarse:

Presumption of receipt.

Incorrectly sent parcels to be returned.

Inability to deliver, etc.

Parcels returned from Spain.

Charges from Spain.

From Spanish possessions.



25 centimos for the maritime transit between the Balearic Islands and the Peninsula;

50 centimos for the maritime transit between the Canary Islands and the Peninsula; and

25 centimos for the maritime transit between the Spanish possessions of Northern Africa and the Peninsula.

**Accounting.**

The details relative to the accounts to which these payments give rise, as well as their settlement, shall be agreed upon by correspondence, between the two contracting Administrations.

**Mode of payment.**

3. All payments to which the provisions of this Convention give rise shall be made in *francs-gold* or its equivalent in the money of the creditor country, in sight drafts upon the capital, or in such other form as may be agreed upon by the two contracting Administrations.

**Perishable articles, not delivered.**

4. When the contents of a parcel which shall not have been delivered, is susceptible of deterioration or corruption, it shall be liable to be sold at once, without previous notice or judicial formalities, for the benefit of the right person. A proceedings shall be made up of the sale, which shall be noted to the despatching Administration. The sum obtained from the sale shall be applied, in the first place, to pay the dues with which the parcel may be burdened. The balance, if there be any, shall be remitted to the Administration of origin, for its delivery to the sender. On the contrary, if there be a deficit, the Administration shall have to satisfy it, proceeding to obtain its amount from the sender, by the means at its disposal, according to its own interior legislation. If for any cause whatsoever the sale cannot be made, the damaged or useless objects shall be destroyed or delivered to the Customs.

**Annulment of customs dues on returned, etc., articles.**

5. Under the reservation of the compliance of the prescribed formalities, by reason of means of intervention by the interested Administrations, the Customs dues applicable to the parcels that have to be returned to the

25 céntimos por el tránsito marítimo entre las islas Baleares y la Península;

50 céntimos por el tránsito marítimo entre las islas Canarias y la Península; y

25 céntimos por el tránsito marítimo entre las posesiones españolas del Norte de Africa y la Península.

Los detalles relativos a las cuentas a que den lugar estos pagos, así como su liquidación, serán convenidos por correspondencia, entre las dos Administraciones contratantes.

3. Todo pago a que den lugar las disposiciones del presente Convenio, deberán hacerse en *francos-oro* o su equivalencia en la moneda del país acreedor, en letras a la vista sobre la capital, o bien en otra forma que convengan entre sí las dos Administraciones contratantes.

4. Cuando el contenido de un paquete que no haya podido ser entregado, sea susceptible de deterioro o descomposición, podrá ser vendido inmediatamente, sin previo aviso ni formalidades judiciales, en beneficio del derecho-habiente. Se levantará acta de la venta, que será remitida a la Administración expedidora. La cantidad obtenida por la venta, se aplicará, en primer lugar, a pagar los derechos con que el paquete estuviese gravado. El sobrante, si existiese, será remitido a la Administración de origen, para su entrega al imponente. Por el contrario, si existiese déficit, la Administración de origen deberá satisfacerlo, procediendo a obtener su importe del remitente, por los medios de que pueda disponer, con arreglo a su legislación interior. Si por una causa cualquiera no fuera posible efectuar la venta, los objetos averiados o inservibles serán destruidos o entregados a la Aduana.

5. Bajo reserva del cumplimiento de las formalidades prescritas, a título de medidas de intervención por las Administraciones interesadas, los derechos de aduana aplicables a los paquetes que hayan de devolverse

country of origin or redespached to another country, shall be annulled both in Spain and in the United States.

al país de origen o reexpedirse a otro país, se anularán así en España como en los Estados Unidos.

Article XIII.

Neither of the contracting Administrations shall be responsible for the loss or damage of the parcels. Therefore, neither the sender nor the addressee shall have any right to claim an indemnity.

Artículo XIII.

Ninguna de las Administraciones contratantes será responsable de la pérdida o avería de los paquetes. Por lo tanto, ni el remitente ni el destinatario, tendrán derecho a reclamar indemnización alguna.

Nonresponsibility for loss, etc.

Article XIV.

1. The provisions of this Convention shall apply exclusively to the objects mentioned in it, coming from or destined for continental Spain and its possessions, on the one hand, and the United States and its insular possessions, on the other, that may be despatched by the Office of either country, designated expressly as exchange offices, or by means of others that the contracting Administrations may agree to designate in the future.

Artículo XIV.

1. Las disposiciones del presente Convenio serán exclusivamente aplicables a los objetos en él mencionados, procedentes o destinados a España continental y sus posesiones de una parte, y los Estados Unidos y sus posesiones insulares, de otra, que sean expedidos por las Oficinas de ambos países, designadas expresamente como oficinas de cambio, o por medio de otras que en lo sucesivo convengan en designar las Administraciones contratantes.

Exchange offices.

2. The interior legislation of Spain and the United States shall continue to apply to everything that is not provided for in the provisions contained in this Convention.

2. La legislación interior de España y de los Estados Unidos, continuará siendo aplicable en todo aquello que no esté previsto en las estipulaciones contenidas en el presente Convenio.

Application of domestic legislation.

3. The postal Administrations of the two contracting countries shall communicate mutually, from time to time, their legislative provisions or regulations applicable to the transportation of the parcel post.

3. Las Administraciones de Correos de los dos países contratantes se comunicarán mutuamente, llegado el caso, sus disposiciones legislativas o reglamentarias aplicables al transporte de los paquetes postales.

Reciprocal communication of postal regulations.

4. They shall determine the manner of transmission of the parcels and shall establish the regulations of detail and of order that may be necessary for the execution of this Convention. They shall be likewise able, after previous agreement, to decide the admission, under certain conditions, of the parcels that contain any of the objects prohibited by Article III of this Convention.

4. Dichas Administraciones determinarán el modo de transmisión de estos paquetes y establecerán los reglamentos de detalle y de orden que sean necesarios para la ejecución del presente Convenio. Podrán, igualmente, previo acuerdo, decidir la admisión, bajo ciertas condiciones, de los paquetes que contengan cualesquiera de los objetos prohibidos por el artículo III del presente Convenio.

Regulation of details, etc.

Annex, p. 88.

## Article XV.

## Artículo XV.

Transportation in Spain.

1. There is reserved to the Spanish Government the right of complying with the terms of this Convention through the railway and steamship companies that it has at its disposal. It shall have the right, moreover, to limit the service to the parcels coming from or destined for places served by these companies.

Arrangements by Administration of Posts of Spain.

2. The Administration of Posts of Spain will have an understanding with the railway and navigation companies to assure the complete execution, on the part of these last, of all the terms of the Convention that precede, and to organize the service of despatch and of receipt at the frontier.

Official intermediary.

3. The Administration of Posts of Spain will serve as intermediary for all their relations with the Post Office Department of the United States.

1. Se reserva al Gobierno español el derecho de hacer cumplir las cláusulas del presente Convenio por las Compañías de ferrocarriles y navegación de que disponga. Podrá, además, limitar este servicio a los paquetes procedentes o destinados a localidades servidas por estas empresas.

2. La Administración de Correos de España, se entenderá con las empresas de caminos de hierro y navegación para asegurar la completa ejecución, por parte de estas últimas, de todas las cláusulas del Convenio que antecede y para organizar el servicio de expedición y de recepción en la frontera.

3. La Administración de Correos de España servirá de intermediaria para todas sus relaciones con la Administración de Correos de los Estados Unidos.

## Article XVI.

## Artículo XVI.

Effect and duration.

This Convention shall be ratified by the contracting countries in accordance with their respective laws, and their ratifications shall be exchanged as soon as possible, and it shall be put into execution on the date that the postal Administrations of the two countries agree upon between themselves, and they shall be able to abrogate it by means of a notice given by either party six months in advance.

Signatures.

Done in duplicate and signed at Madrid on February the fourth, nineteen hundred and twenty-one and at Washington on March the first, nineteen hundred and twenty-one.

The Postmaster General of the United States of America.

ALBERT SIDNEY BURLERSON.

[Seal of the Post Office Department.]

Este Convenio se ratificará por los países contratantes de acuerdo con sus respectivas leyes, y sus ratificaciones se canjearán, lo más pronto posible, y será puesto en ejecución en la fecha que convengan entre sí las Administraciones de Correos de los dos países, pudiendo cesar sus efectos mediante aviso dado por una de las partes con seis meses de anticipación.

Hecho por duplicado y firmado en Madrid el día cuatro de Febrero de mil novecientos veintiuno, y en Washington el día primero de Marzo, de mil novecientos veintiuno.

El Director general de Correos y Telégrafos de España.

CONDE DE COLOMBI.

[Sello de El Director General de Correos y Telégrafos.]



March 21, 1914.

*Treaty between the United States and Venezuela for the advancement of general peace. Signed at Caracas, March 21, 1914; ratification advised by the Senate August 11, 1914; ratified by Venezuela, July 30, 1915; ratified by the President, January 4, 1916; ratifications exchanged at Caracas, February 12, 1921; proclaimed, March 21, 1921.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

General peace, Venezuela.

Whereas a Treaty between the United States of America and The United States of Venezuela, providing for the advancement of the cause of general peace, was concluded and signed by their respective Plenipotentiaries at Caracas, on the 21st day of March, one thousand nine hundred and fourteen, the original of which Treaty, being in the English and Spanish languages, is word for word as follows:

### TREATY OF PEACE BETWEEN THE UNITED STATES OF VENEZUELA AND THE UNITED STATES OF AMERICA.

Contracting Powers.

The President of the United States of Venezuela and the President of the United States of America, being desirous to strengthen the bonds of amity that bind Venezuela and the United States together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose and to that end have appointed as their plenipotentiaries:

Plenipotentiaries.

The President of the United States of Venezuela, Señor Doctor Manuel Díaz Rodríguez, Minister for Foreign Relations; and the President of the United States of America, Mr Preston McGoodwin, Envoy Extraordinary and Minister Plenipotentiary of said Nation to Venezuela;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

#### Article I.

Disputes to be submitted to International Commission for investigation and report.

The high contracting parties agree that all disputes between them, of every nature whatsoever,

El Presidente de los Estados Unidos de Venezuela y el Presidente de los Estados Unidos de América, en el deseo de estrechar los lazos de amistad que unen a Venezuela y a los Estados Unidos, y con el propósito de laborar por la causa de la paz general, han resuelto celebrar un tratado que tienda especialmente a esos fines, y para ello ha nombrado como sus plenipotenciarios:

El Presidente de los Estados Unidos de Venezuela al Señor Doctor Manuel Díaz Rodríguez, Ministro de Relaciones Exteriores; y el Presidente de los Estados Unidos de América al Señor Preston McGoodwin, Enviado Extraordinario y Ministro Plenipotenciario de dicha Nación en Venezuela;

Quienes, después de haberse comunicado sus respectivos plenos poderes y de hallarlos en debida forma, han convenido en los siguientes artículos:

#### Artículo I.

Las altas partes contratantes convienen en que todas las diferencias surgidas entre ellas, de

which diplomacy shall fail to adjust, shall be submitted for investigation and report to a Permanent International Commission, to be constituted in the manner prescribed in article II; and they agree, if the case arises, not to declare war nor to begin hostilities during such investigation and before the report has been considered.

## Article II.

The International Commission shall be composed of five members, to be appointed as follows: one member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, who can also submit his election to the four arbitrators already appointed; it being understood that he shall not be a citizen of either of the two countries. The expenses shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and the vacancies shall be filled according to the manner of the original appointment.

## Article III.

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission, may, however, before taking diplomatic steps or in the course thereof, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation.

cualquier naturaleza que sean, y que no se hayan podido arreglar por los medios diplomáticos, serán sometidas, para su investigación e informe, a una Comisión Internacional Permanente, que se constituirá de la manera prescrita en el artículo II; y convienen, si llegare el caso, en no declararse la guerra ni comenzar hostilidades mientras dure la investigación y no haya sido considerado el informe.

## Artículo II.

La Comisión Internacional se compondrá de cinco miembros que se nombrarán como sigue: cada uno de los Gobiernos escogerá de entre sus nacionales un miembro; otro se elegirá de un tercer país por cada Gobierno, y el quinto será elegido de común acuerdo entre los dos Gobiernos, quienes pueden también someter su elección a los cuatro árbitros ya nombrados; teniéndose entendido que no ha de ser ciudadano de ninguno de los dos países. Los gastos de la Comisión serán sufragados por partes iguales entre los dos Gobiernos.

La Comisión Internacional será nombrada dentro de seis meses después del canje de las ratificaciones de este tratado; y las faltas serán suplidas siguiendo el procedimiento adoptado para el nombramiento original.

## Artículo III.

En caso de que las altas partes contratantes no puedan llegar al arreglo de una controversia por la vía diplomática, habrán de someterla inmediatamente a la Comisión Internacional para su investigación e informe. La Comisión Internacional puede, sin embargo, antes de que se inicien los tratos diplomáticos o en el curso de ellos, ofrecer espontáneamente sus servicios al efecto, y en tal caso lo notificará a ambos Gobiernos, excitándoles a que cooperen a la investigación.

International Commission.  
Composition.

Expenses.

Appointment.

Duties of Commission.

Post, p. 101.

**Facilities available.**

The high contracting parties agree to afford to the Permanent International Commission all the means and facilities required for its investigation and report.

**Time, etc., for report.**

In each instance, the report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

**Independent action reserved.**

The high contracting parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

Las altas partes contratantes convienen en proporcionar a la Comisión Internacional Permanente todos los medios y facilidades requeridos para su investigación e informe.

En cada caso, el informe de la Comisión Internacional será concluido dentro de un año después de la fecha en que se hubiere ordenado el comienzo de su investigación, a menos que las altas partes contratantes limiten o prolonguen el lapso de mutuo acuerdo. El informe se hará por triplicado; una copia se presentará a cada uno de los Gobiernos, y la tercera se conservará en los archivos de la Comisión.

Las altas partes contratantes se reservan el derecho de obrar independientemente acerca del asunto de la controversia, después de haberles sido sometido el informe de la Comisión.

**Article IV.****Artículo IV.****Ratification.**

The present treaty shall be ratified by the President of the United States of Venezuela, with the approval of the Congress; and by the President of the United States of America, by and with the advice and consent of the Senate thereof; and the ratifications shall be exchanged as soon as possible.

**Exchange of ratifications.****Commencement and duration.**

It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have given notice to the other of an intention to terminate it.

**Signatures.**

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Caracas on the twenty first day of March in the year nineteen hundred and fourteen.

PRESTON M<sup>c</sup>GOODWIN

MANUEL DIAZ-RODRIGUEZ  
[SEAL.]

El presente tratado será ratificado por el Presidente de los Estados Unidos de Venezuela, con la aprobación del Congreso; y por el Presidente de los Estados Unidos de América, por y con el voto y consentimiento del Senado de dicho país; y las ratificaciones serán canjeadas tan pronto como sea posible. Entrará en vigencia inmediatamente después del canje de las ratificaciones, y continuará estándolo por un período de cinco años; y quedará luego en vigencia hasta después de doce meses en que una de las altas partes contratantes haya dado aviso a la otra de su intención de darle término.

En prueba de lo cual los respectivos plenipotenciarios han firmado el presente tratado y lo han sellado con sus sellos.

Hecho en Caracas el día veinte y uno de Marzo del año mil novecientos catorce.

MANUEL DIAZ-RODRIGUEZ

PRESTON M<sup>c</sup>GOODWIN  
[SEAL.]

And whereas the said Treaty has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Caracas, on the twelfth day of February, one thousand nine hundred and twenty-one; Ratifications exchanged.

Now, therefore, be it known that I, Warren G. Harding, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof. Proclamation.

In testimony whereof, I have hereunto set my hand and caused the Seal of the United States to be affixed.

Done in the District of Columbia, this 21st day of March in the year of our Lord one thousand nine hundred and twenty-  
[SEAL.] one, and of the Independence of the United States of America the one hundred and forty-fifth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

#### PROTOCOL.

Protocol.

The Government of the United States of America and the Government of the United States of Venezuela, desirous of removing any doubt or uncertainty that may exist or that may hereafter arise as to the interpretation to be placed upon the second clause of Article III of the Treaty of March 21, 1914, between the United States and Venezuela, looking to the advancement of the general cause of peace; which clause reads as follows:

"The International Commission may, however, before taking diplomatic steps or in the course thereof, act upon its own initiative, and in such case it shall notify both Governments and request their cooperation in the investigation";

have authorized the undersigned Plenipotentiaries to declare as follows:

It is the understanding of the two Governments that the said clause does not confer upon the Commission the right to act upon its own initiative before diplomatic means of adjustment have been exhausted, but that it shall be understood as meaning that, should the Commission spontaneously offer its services, it shall not proceed to undertake its in-

El Gobierno de los Estados Unidos de América y el Gobierno de los Estados Unidos de Venezuela, deseosos de resolver cualquier duda o incertidumbre que exista o pueda surgir respecto al alcance de la cláusula segundo del Artículo III del Tratado del 21 de marzo de 1914 concluida entre los Estados Unidos y Venezuela y encaminado al fomento de la causa general de la paz; cláusula cuyo tenor es como sigue:

"La Comisión Internacional puede, sin embargo antes de que se inicien los tratos diplomáticos o en el curso de ellos, ofrecer espontáneamente sus servicios al efecto, y en tal caso lo notificará a ambos Gobiernos, excitándolos a que cooperen a la investigación:"

han autorizado a los infrascritos Plenipotenciarios para hacer la siguiente declaración:

Los dos Gobiernos declaran que la cláusula trascrita no confiere a la Comisión el derecho de obrar de propia iniciativa antes de haberse agotado los medios diplomáticos de arreglo, sino que ha de entenderse que si la Comisión ofreciere espontáneamente sus servicios, no podrá proceder a practicar su investigación y hacer informe en el asunto que

Declaration.

Art. p. 66.

Initiative action by Commission.

Right defined.



vestigation and report in the matter which is the subject of disagreement between the two Governments, until after they shall have exhausted diplomatic means of adjustment.

Signatures.

In witness whereof, the undersigned Plenipotentiaries have signed their names and affixed their respective seals to this Protocol, at the city of Caracas, this twenty seventh day of February, in the year 1915.

PRESTON MCGOODWIN

[SEAL.]

IGN° ANDRADE

[SEAL.]

motiva el desacuerdo de los dos Gobiernos sino después que estos hayan agotado los medios diplomáticos de arreglo.

En testimonio de lo cual los infrascritos Plenipotenciarios autorizan con sus firmas y sellos el presente Protocolo, en Caracas, a los veinte y siete dias del mes de febrero de mil novecientos quince.

IGN° ANDRADE

[SEAL.]

PRESTON MCGOODWIN

[SEAL.]

*Agreement between the United States and Norway for the submission to arbitration of certain claims of Norwegian subjects. Signed at Washington, June 30, 1921; ratification advised by the Senate, July 27, 1921; ratified by Norway, July 28, 1921; ratified by the President, August 10, 1921; ratifications exchanged at Washington, August 22, 1921; proclaimed, August 24, 1921.*

June 30, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Whereas a Special Agreement between the United States of America and Norway, providing for the amicable settlement of certain claims of Norwegian subjects against the United States, was concluded and signed by their respective Plenipotentiaries at Washington, on the thirtieth day of June, one thousand nine hundred and twenty-one, the original of which Special Agreement, being in the English language, is word for word as follows:

Claims agreement with Norway.  
Preamble.

The United States of America and His Majesty the King of Norway, desiring to settle amicably certain claims of Norwegian subjects against the United States arising, according to contentions of the Government of Norway, out of certain requisitions by the United States Shipping Board Emergency Fleet Corporation;

Contracting Powers.

Considering that these claims have been presented to the United States Shipping Board Emergency Fleet Corporation and that the said corporation and the claimants have failed to reach an agreement for the settlement thereof;

Claims presented to United States Shipping Board Emergency Fleet Corporation.

Considering, therefore, that the claims should be submitted to arbitration conformably to the Convention of the 18th of October, 1907, for the pacific settlement of international disputes and the Arbitration Convention concluded by the two Governments April 4, 1908, and renewed by agreements dated June 16, 1913, and March 30, 1918, respectively;

Vol. 36, p. 2233.

Vol. 35, p. 1994; Vol. 38, p. 1771; Vol. 40, p. 1612.

Have appointed as their plenipotentiaries, for the purpose of concluding the following Special Agreement;

The President of the United States of America: Charles E. Hughes, Secretary of State of the United States; and

Plenipotentiaries.

His Majesty the King of Norway: Mr. Helmer H. Bryn, His Envoy Extraordinary and Minister Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed on the following articles:

### ARTICLE I.

The Arbitral Tribunal shall be constituted in accordance with Article 87 (Chapter IV) and Article 59 (Chapter III) of the said Convention of October 18, 1907, except as hereinafter provided, to wit:

Arbitral Tribunal.  
Vol. 36, pp. 2233, 2234.

One arbitrator shall be appointed by the President of the United States, one by His Majesty the King of Norway, and the third, who shall preside over the Tribunal, shall be selected by mutual agreement between the two Governments. If the two Governments shall not agree within one month from the date of the exchange of ratifications of the present Agreement in naming such third arbitrator, then he shall be named by the President of the Swiss Confederation, if he is willing.

Appointment of arbitrators.

Powers conferred.

The tribunal shall examine and decide the aforesaid claims in accordance with the principles of law and equity and determine what sum if any shall be paid in settlement of each claim.

Claim of Page Brothers to be determined.

The tribunal shall also examine any claim of Page Brothers, American citizens, against any Norwegian subject in whose behalf a claim is presented under the present Agreement, arising out of a transaction on which such claim is based, and shall determine what portion of any sum that may be awarded to such claimant shall be paid to such American citizens in accordance with the principles of law and equity.

## ARTICLE II.

Presentation of case.

As soon as possible, and within five months from the date of the exchange of ratifications of the present Agreement, each Party shall present to the agent of the other Party, two printed copies of its case (and additional copies that may be agreed upon) together with the documentary evidence upon which it relies. It shall be sufficient for this purpose if such copies and documents are delivered at the Norwegian Legation at Washington or at the American Legation at Christiania, as the case may be, for transmission.

Delivery to Tribunal.

Within twenty days thereafter, each Party shall deliver two printed copies of its case and accompanying documentary evidence to each member of the Arbitral Tribunal, and such delivery may be made by depositing these copies within the stated period with the International Bureau at The Hague for transmission to the Arbitrators.

Counter-case.

After the delivery on both sides of such printed case, either Party may present, within three months after the expiration of the period above fixed for the delivery of the case to the agent of the other Party, a printed counter-case (and additional copies that may be agreed upon) with documentary evidence, in answer to the case and documentary evidence of the other Party, and within fifteen days thereafter shall, as above provided, deliver in duplicate such counter-case and accompanying evidence to each of the Arbitrators.

Printed argument.

As soon as possible and within one month after the expiration of the period above fixed for the delivery to the agents of the counter-case, each Party shall deliver in duplicate to each of the Arbitrators and to the agent of the other Party a printed argument (and additional copies that may be agreed upon) showing the points relied upon in the case and counter-case, and referring to the documentary evidence upon which it is based. Delivery in each case may be made in the manner provided for the delivery of the case and counter-case to the Arbitrators and to the agents.

Time to be fixed.

The time fixed by this Agreement for the delivery of the case, counter-case, or argument, and for the meeting of the Tribunal, may be extended by mutual consent of the Parties.

## ARTICLE III.

Meeting of Tribunal.

The Tribunal shall meet at The Hague within one month after the expiration of the period fixed for the delivery of the printed argument as provided for in Article II.

Oral arguments, etc.

The agents and counsel of each Party may present in support of its case oral arguments to the Tribunal, and additional written arguments, copies of which shall be delivered by each Party in duplicate to the Arbitrators and to the agents and counsel of the other Party.

The Tribunal may demand oral explanations from the agents of the two Parties as well as from experts and witnesses whose appearance before the Tribunal it may consider useful.

ARTICLE IV.

The decision of the Tribunal shall be made within two months from the close of the arguments on both sides, unless on the request of the Tribunal the Parties shall agree to extend the period. The decision shall be in writing.

Time for decision.

The decision of the majority of the members of the Tribunal shall be the decision of the Tribunal.

Majority.

The language in which the proceedings shall be conducted shall be English.

Proceedings in English.

The decision shall be accepted as final and binding upon the two Governments.

Acceptance.

Interest on award.

Any amount granted by the award rendered shall bear interest at the rate of six per centum per annum from the date of the rendition of the decision until the date of payment.

ARTICLE V.

Each Government shall pay the expenses of the presentation and conduct of its case before the Tribunal; all other expenses which by their nature are a charge on both Governments, including the honorarium for each arbitrator, shall be borne by the two Governments in equal moieties.

Expenses.

ARTICLE VI.

This Special Agreement shall be ratified in accordance with the constitutional forms of the contracting parties and shall take effect immediately upon the exchange of ratifications, which shall take place as soon as possible at Washington.

Exchange of ratifications.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Special Agreement and have hereunto affixed their seals.

Signature.

Done in duplicate at Washington this 30th day of June, 1921.

[SEAL.] CHARLES E. HUGHES

[SEAL.] HELMER H BRYN

And whereas the said Special Agreement has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington on the twenty-second day of August, one thousand nine hundred and twenty-one.

Ratifications exchanged.

Now, therefore be it known that I, Warren G Harding, President of the United States of America, have caused the said Special Agreement to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In testimony whereof, I have hereunto set my hand and caused the Seal of the United States to be affixed.

Done in the District of Columbia this twenty-fourth day of August in the year of our Lord one thousand nine hundred and [SEAL.] twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

WARREN G HARDING

By the President:

CHARLES E. HUGHES  
Secretary of State.

December 16, 1920.

*Treaty between the United States and Siam revising treaties hitherto existing. Signed at Washington, December 16, 1920; ratification advised by the Senate, April 27, 1921; ratified by Siam, April 29, 1921; ratified by the President, May 6, 1921; ratifications exchanged at Bangkok, September 1, 1921; proclaimed, October 12, 1921.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

Amity, commerce  
and navigation with  
Siam.

Whereas a Treaty between the United States and Siam, providing for the revision of the treaties theretofore existing between the two countries, and the protocol annexed to the said treaty and made a part thereof, were concluded and signed by their respective Plenipotentiaries at Washington, on the sixteenth day of December, one thousand nine hundred and twenty the originals of which Treaty and protocol, being in the English language, are word for word as follows:

Contracting Powers.

The President of the United States of America and His Majesty the King of Siam being desirous of strengthening the relations of amity and good understanding which happily exist between the two States, and being convinced that this cannot be better accomplished than by revising the treaties hitherto existing between the two countries, have resolved to complete such revision, based upon the principles of equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say:

Plenipotentiaries.

The President of the United States of America: Norman H. Davis, Acting Secretary of State of the United States,

His Majesty the King of Siam: Phya Prabha Karavongse, Envoy Extraordinary and Minister Plenipotentiary of Siam to the United States;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

### ARTICLE I

Peace and friendship  
declared.

Reciprocal liberty of  
travel, residence, com-  
merce, etc.

Post, p. 113.

There shall be constant peace and perpetual friendship between the United States of America and the Kingdom of Siam. The citizens or subjects of each of the High Contracting Parties shall have liberty to enter, travel and reside in the territories of the other, to carry on trade, wholesale and retail, to engage in religious, educational and charitable work, to own or lease and occupy houses, manufactories, warehouses and shops, to employ agents of their choice, to lease land for residential, commercial, religious and charitable purposes and for use as cemeteries, and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established.

Equality of taxes.

They shall not be compelled under any pretext whatever, to pay any internal charges or taxes other or higher than those that are or may be paid by native citizens or subjects.

The citizens or subjects of each of the High Contracting Parties shall receive, in the territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects, on their submitting themselves to the conditions imposed upon the native citizens or subjects.

Protection of persons and property.

They shall, however, be exempt in the territories of the other from compulsory military service either on land or sea, in the regular forces, or in the national guard, or in the militia; from all contributions imposed in lieu of personal military service, and from all forced loans or military exactions or contributions.

Military exemptions, etc.

The citizens and subjects of both of the High Contracting Parties shall enjoy in the territories and possessions of the High Contracting Parties entire liberty of conscience, and, subject to the laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship.

Liberty of conscience and worship.

## ARTICLE II

The dwellings, warehouses, manufactories and shops and all other property of the citizens or subjects of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto used for purposes of residence or commerce, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for nationals.

Buildings and other property to be respected.

## ARTICLE III

There shall be reciprocally full and entire freedom of commerce and navigation between the territories and possessions of the two High Contracting Parties.

Freedom of commerce.

The citizens or subjects of either of the High Contracting Parties shall have liberty freely and securely to come with their ships' cargoes to all places, ports and rivers in the territories of the other, which are or hereafter may be opened to foreign commerce and navigation; except as regards spirituous, distilled or fermented drinks or alcoholic liquors or alcohol, and opium and the derivatives thereof and cocaine, heroin and other narcotic drugs, included within the scope of the International Opium Convention signed at The Hague, January 23, 1912, and arms and ammunition, the trade in all of which may, subject to the principle of most favored nation treatment, be regulated and restricted at will by each of the High Contracting Parties within its territories and possessions, the sale and resale, by any person or organization whatsoever, of goods which are the produce or manufacture of one of the High Contracting Parties, within the territories and possessions of the other, shall be exempt from all governmental restrictions and limitations designed or operating to create or maintain any monopoly or "farm" for the profit either of the Government or of a private individual or organization.

Rights of shipping.

Restrictions of liquors, narcotics, etc.

Arms and ammunition subject to most favored nation treatment.

## ARTICLE IV

The citizens or subjects of each of the High Contracting Parties shall have free access to the courts of justice of the other in pursuit and defense of their rights; they shall be at liberty, equally with the

Protection of legal rights.

native citizens or subjects, and with the citizens or subjects of the most favored nation, to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such courts. There shall be no conditions or requirements imposed upon American citizens in connection with such access to the Courts of Justice in Siam, which do not apply to native citizens or subjects or to the citizens or subjects of the most favored nation.

#### ARTICLE V

Rights of limited-liability companies, etc.

Limited-liability and other companies and associations, already or hereafter to be organized in accordance with the laws of either High Contracting Party and domiciled in the territories of such Party, are authorized, in the territories of the other, to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the laws of such other Party.

Most favored nation treatment of American corporations, etc., in Siam.

There shall be no conditions or requirements imposed upon American corporations, companies or associations, in connection with such access to the Courts of Justice in Siam, which do not apply to such native corporations, companies, or associations, or to the corporations, companies or associations of the most favored nation.

#### ARTICLE VI

Customs regulations.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories and possessions of the other a perfect equality of treatment with native citizens or subjects and with citizens or subjects of the most favored nation, in all that relates to transit duties, warehousing, bounties, facilities, and the examination and appraisal of merchandise.

#### ARTICLE VII

Tariffs and other duties.

The United States of America recognizes that the principle of national autonomy should apply to the Kingdom of Siam in all that pertains to the rates of duty on importations and exportations of merchandise, drawbacks, and transit and all other taxes and impositions; and subject to the condition of equality of treatment with other nations in these respects, the United States of America agrees to assent to increases by Siam in its tariff to rates higher than those established by existing treaties,—on the further condition, however, that all other nations entitled to claim special tariff treatment in Siam assent to such increases freely and without the requirement of any compensatory benefit or privilege.

#### ARTICLE VIII

Commerce and navigation.

In all that concerns the entering, clearing, stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the two countries, no privilege shall be granted to vessels of a third Power which shall not equally be granted to vessels of the other country; the intention of the High Contracting Parties being that in these respects the vessels of each shall receive the treatment accorded to vessels of the most favored nation.

#### ARTICLE IX

Coasting trade restrictions.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws, ordinances and regulations of the United States

of America and of Siam, respectively. It is, however, understood that citizens of the United States of America in the territories and possessions of His Majesty the King of Siam and Siamese citizens or subjects in the territories and possessions of the United States of America shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the citizens or subjects of other nations.

#### ARTICLE X

Any ship of war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

Vessels in distress.

If any ship of war or merchant vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall give prompt notice of the occurrence, to the Consular Officer residing in the district, or to the nearest Consular Officer of the other Power.

Shipwrecks.

Such stranded or wrecked ship or vessel and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them.

Salvage.

If such owners or agents are not on the spot, the aforesaid property or proceeds from the sale thereof and the papers found on board the vessel shall be delivered to the proper Consular Officer of the High Contracting Party whose vessel is wrecked or stranded, provided that such Consular Officer shall make claim within the period fixed by the laws, ordinances and regulations of the country in which the wreck or stranding occurred, and such Consular Officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck of a national vessel.

Duties of consular officers.

The goods and merchandise saved from the wreck shall be exempt from all duties of the customs unless cleared for consumption, in which case they shall pay ordinary duties.

Customs duties on salvaged goods.

In the case of a ship or vessel belonging to the citizens or subjects of one of the High Contracting Parties being driven in by stress of weather, run aground or wrecked in the territories or possessions of the other, the proper Consular Officers of the High Contracting Party to which the vessel belongs, shall, if the owners or their agents are not present, or are present but require it, be authorized to interpose in order to afford the necessary assistance to the citizens or subjects of his State.

Assistance to wrecked vessels, etc.

#### ARTICLE XI

The vessels of war of each of the High Contracting Parties may enter, remain and make repairs in those ports and places of the other to which the vessels of war of other nations are accorded access; they shall there submit to the same regulations and enjoy

Privileges of war vessels.



the same honors, advantages, privileges and exemptions as are now, or may hereafter be conceded to the vessels of war of any other nation.

## ARTICLE XII

Protection of patents, trade-marks, copyrights, etc.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories and possessions of the other, upon fulfilment of the formalities prescribed by law, the same protection as native citizens or subjects, or the citizens or subjects of the nation most favored in these respects, in regard to patents, trade-marks, trade-names, designs and copyrights.

## ARTICLE XIII

Consular representatives authorised.

Each of the High Contracting Parties may appoint Consuls General, Consuls, Vice Consuls and other Consular officers or Agents to reside in the towns and ports of the territories and possessions of the other where similar officers of other Powers are permitted to reside.

Exequatums.

Such Consular Officers and Agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

Powers, etc., conferred.

They shall be entitled to exercise all the powers and enjoy all the honors, privileges, exemptions and immunities of every kind which are, or may be, accorded to Consular Officers of the most favored nation.

## ARTICLE XIV

Effects of deceased persons.

In case of the death of any subject of Siam in the United States or of any citizen of the United States in Siam without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular Officer of the nation to which the deceased belonged, in order that the necessary information may be immediately forwarded to parties interested.

Temporary possession, etc., in absence of will.

In the event of any citizens or subjects of either of the High Contracting Parties dying without will or testament, in the territory of the other Contracting Party, the Consul General, Consul, Vice Consul, or other Consular Officer or Agent, of the nation to which the deceased belonged, or, in his absence, the representative of such Consul General, Consul, Vice Consul, or other Consular Officer or Agent, shall, so far as the laws of each country will permit and pending the appointment of an administrator and until letters of administration have been granted, take charge of the personal property left by the deceased for the benefit of his lawful heirs and creditors.

## ARTICLE XV

Domestic laws not affected.

It is understood by the High Contracting Parties that the stipulations contained in this Treaty do not in any way affect, supersede, or modify any of the laws, ordinances and regulations with regard to trade, naturalization, immigration, police and public security which are in force or which may be enacted in either of the two countries.

## ARTICLE XVI

Former treaties, etc., superseded.  
Public Treaties, pp. 686, 686.

The present Treaty shall, from the date of the exchange of ratifications thereof, be substituted in place of the Convention of Amity and Commerce concluded at Bangkok on the 20th day of March, 1833, of the Treaty of Amity and Commerce concluded at Bang-

kok on the 29th day of May, 1856, and of the Agreement regulating liquor traffic in Siam concluded at Washington on the 14th day of May, 1884, and of all arrangements and agreements subsidiary thereto concluded or existing between the High Contracting Parties, and from the same date, such conventions, treaties, arrangements and agreements shall cease to be binding.

Vol. 22, p. 732.

## ARTICLE XVII

The present Treaty shall come into effect on the date of the exchange of ratifications and shall remain in force for ten years from that date.

Duration.

In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said ten years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it.

Right of denunciation.

It is clearly understood, however, that such denunciation shall not have the effect of reviving any of the treaties, conventions, arrangements or agreements mentioned in Article XVI hereof.

Former treaties not revived by denunciation.

## ARTICLE XVIII

This Treaty shall be ratified and the ratifications thereof shall be exchanged, either at Washington or Bangkok, as soon as possible.

Exchange of ratifications.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the present Treaty and have thereunto affixed their seals.

Signatures.

Done in duplicate, in the English language, at Washington, the sixteenth day of December in the nineteen hundred and twentieth year of the Christian Era, corresponding to the sixteenth day of the ninth month in the two thousand four hundred and sixty-third year of the Buddhist Era.

NORMAN H. DAVIS [SEAL.]  
PRABHA KARAVONGSE [SEAL.]

## ANNEX

Annex.

PROTOCOL CONCERNING JURISDICTION APPLICABLE IN THE KINGDOM OF SIAM TO AMERICAN CITIZENS AND OTHERS ENTITLED TO THE PROTECTION OF THE UNITED STATES.

Protocol as to rights of American citizens in Siam.

At the moment of proceeding this day to the signature of the new Treaty of Friendship, Commerce and Navigation between the United States and the Kingdom of Siam, the Plenipotentiaries of the two High Contracting Parties have agreed as follows:

Agreement.

## ARTICLE I

The system of jurisdiction heretofore established in Siam for citizens of the United States and the privileges, exemptions and immunities now enjoyed by the citizens of the United States in Siam as a part of or appurtenant to said system shall absolutely cease and determine on the date of the exchange of ratifications of the above-mentioned Treaty and thereafter all citizens of the United States and persons, corporations, companies and associations entitled to its protection in Siam shall be subject to the jurisdiction of the Siamese Courts.

Extraterritoriality to cease.

## ARTICLE II

Temporary retention until Siamese Codes promulgated, etc.

Until the promulgation and putting into force of all the Siamese Codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure and the Law for Organization of Courts and for a period of five years thereafter, but no longer, the United States, through its Diplomatic and Consular Officials in Siam, whenever in its discretion it deems it proper so to do in the interest of justice, by means of a written requisition addressed to the judge or judges of the Court in which such case is pending, may invoke any case pending in any Siamese Court, except the Supreme or Dika Court, in which an American citizen or a person, corporation, company or association entitled to the protection of the United States, is defendant or accused.

Transfer of cases to American diplomatic and consular representatives.

Such case shall then be transferred to said Diplomatic or Consular Official for adjudication and the jurisdiction of the Siamese Court over such case shall thereupon cease. Any case so evoked shall be disposed of by said Diplomatic or Consular official in accordance with the laws of the United States properly applicable, except that as to all matters coming within the scope of Codes or Laws of the Kingdom of Siam regularly promulgated and in force, the texts of which have been communicated to the American Legation in Bangkok, the rights and liabilities of the parties shall be determined by Siamese law.

Jurisdiction continued.

For the purpose of trying such cases and of executing any judgments which may be rendered therein, the jurisdiction of the American Diplomatic and Consular officials in Siam is continued.

Notice of objections to promulgated Siamese Codes.

Should the United States perceive, within a reasonable time after the promulgation of said Codes, any objection to said Codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure and the Law for Organization of Courts, the Siamese Government will endeavor to meet such objections.

## ARTICLE III

Jurisdiction of Siamese Courts.

Appeals by citizens of the United States or by persons, corporations, companies or/and associations entitled to its protection, from judgments of Courts of First Instance in cases to which they may be parties, shall be adjudged by the Court of Appeal at Bangkok.

An appeal on a question of law shall lie from the Court of Appeal at Bangkok to the Supreme or Dika Court.

A citizen of the United States or a person, corporation, company or association entitled to its protection, who is defendant or accused in any case arising in the Provinces may apply for a change of venue and should the Court consider such change desirable the trial shall take place either at Bangkok or before the judge in whose Court the case would be tried at Bangkok.

## ARTICLE IV

Agreement on transfer of jurisdictions.

In order to prevent difficulties which may arise from the transfer of jurisdiction contemplated by the present Protocol, it is agreed,

Actions subsequent to effective date of treaty to be brought in Siamese Courts.

(a) All cases in which action shall be taken subsequently to the date of the exchange of ratifications of the above-mentioned Treaty, shall be entered and decided in the Siamese Courts, whether the cause of action arose before or after the date of said exchange of ratifications.

Pending cases before American officials continued until disposed of.

(b) All cases pending before the American Diplomatic and Consular officials in Siam on said date shall take their usual course before such officials until such cases have been finally disposed of,

and the jurisdiction of the American Diplomatic and Consular officials shall remain in full force for this purpose.

In connection with any case coming before the American Diplomatic or Consular officials under clause (b) of Article IV, or which may be evoked by said officials under Article II, the Siamese authorities shall upon request by such Diplomatic or Consular officials lend their assistance in all matters pertaining to the case.

Protection of legal rights of Americans.  
*Ante*, p. 114.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have hereto signed their names and affixed their seals, this sixteenth day of December, in the nineteen hundred and twentieth year of the Christian Era, corresponding to the sixteenth day of the ninth month in the two thousand four hundred and sixty-third year of the Buddhist Era.

Signatures.

NORMAN H. DAVIS [SEAL]  
PRABHA KARAVONGSE [SEAL]

And whereas the said Treaty and Protocol have been duly ratified on both parts, and the ratifications of the two governments were exchanged in the city of Bangkok, on the first day of September, one thousand nine hundred and twenty-one.

Exchange of ratifications.

Now, therefore, be it known that I, Warren G. Harding, President of the United States of America, have caused the said Treaty and Protocol to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this twelfth day of October, in the year of our Lord one thousand nine hundred and [SEAL] twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

[EXCHANGE OF NOTES.]

Exchange of notes.

[*The Siamese Minister to the Acting Secretary of State.*]

SIAMESE LEGATION,  
*Washington, December 16, 1920.*

Mr. Secretary:

Referring to Article I of the treaty signed by us this day which provides among other things for the leasing and ownership of real property in Siam by Americans, I have the honor to state that:

By Siamese Minister.  
*Ante*, p. 106.

1. As to the lands for which the missions now possess papers of any kind or of which the missions are otherwise in legal occupation they should apply to have title papers issued in the regular way.

Status of mission lands stated.

2. As to the lands held under lease from Government, the Siamese Government will not interrupt the possession by the missions as long as they continue to use the land for mission purposes.

3. However, in Rathuri the Mission is now occupying a house belonging to the Siamese Government; this must be returned when asked for.

4. It should be understood that the Siamese Government is not identified with Wat administration; that is to say, the foregoing understanding must not be construed as a promise by the Government to interfere with lands held and claimed by religious authorities, whether Buddhists or of any other faith.

5. Of course, all Mission lands are held subject to the exercise by the Siamese Government of the right of eminent domain.

I avail myself of the occasion to offer to you the renewed assurances of my highest consideration.

PRABHA KARAVONGSE

The Honorable,  
NORMAN H. DAVIS,  
*Acting Secretary of State.*

## TREATY—SIAM. DECEMBER 16, 1920.

[*The Acting Secretary of State to the Siamese Minister.*]

DEPARTMENT OF STATE,  
Washington, December 16, 1920.

Sir:

By Acting Secretary  
of State.  
*Ante*, p. 106.

Status of mission  
lands acknowledged.

I have the honor to acknowledge the receipt of your note of this date referring to the provisions of Article I of the treaty signed by us to-day and relating to the real property now in possession of American missionary societies in Siam. I note that:

1. As to the lands for which the missions now possess papers of any kind or of which the missions are otherwise in legal occupation they should apply to have title papers issued in the regular way.

2. As to the lands held under lease from Government, the Siamese Government will not interrupt the possession by the missions as long as they continue to use the land for mission purposes.

3. However, in Ratburi the Mission is now occupying a house belonging to the Siamese Government; this must be returned when asked for.

4. It is understood that the Siamese Government is not identified with Wat administration; that is to say, the foregoing understanding must not be construed as a promise by the Government to interfere with lands held and claimed by religious authorities, whether Buddhists or of any other faith.

5. All Mission Lands are held subject to the exercise by the Siamese Government of the right of eminent domain.

I have the honor to express my satisfaction with this pronouncement.

Accept, Sir, the renewed assurances of my highest consideration.

NORMAN H. DAVIS,  
*Acting Secretary of State.*

PHYA PRABHA KARAVONGSE,  
*Siamese Minister.*

*Agreement between the United States and Portugal, further extending the duration of the convention of April 6, 1908. Signed at Lisbon, September 14, 1920; ratification advised by the Senate, March 7, 1921; ratified by the President, March 22, 1921; ratified by Portugal, September 16, 1921; ratifications exchanged at Lisbon, September 29, 1921; proclaimed, October 31, 1921.*

September 14, 1920.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Whereas an Agreement between the United States of America and the Portuguese Republic providing for the extension for another five years of the period during which the Arbitration Convention concluded between them on April 6, 1908, was concluded and signed by their respective Plenipotentiaries at Lisbon, on the fourteenth day of September, one thousand nine hundred and twenty, the original of which Agreement, being in the English and Portuguese languages is word for word as follows:

Arbitration with  
Portugal.  
Preamble.  
Vol. 35, p. 2085.

The Government of the United States of America and the Government of the Portuguese Republic, being desirous of extending for another five years the period during which the Arbitration Convention concluded between them on April 6, 1908, extended by the Agreement concluded between the two Governments on June 28, 1913, shall remain in force, have authorized the undersigned, to wit:

The President of the United States of America:

His Excellency Colonel Thomas H. Birch, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Portuguese Republic,

The President of the Portuguese Republic:

His Excellency João Carlos de Melo Barreto, Minister for Foreign Affairs.

to conclude the following Agreement:

O Governo dos Estados da América e o Governo da República Portuguesa, desejando prorrogar por outros cinco anos o período durante o qual vigora a Convenção de Arbitragem celebrada entre os dois países em 6 de Abril de 1908, prorrogada pelo acôrdo concluído entre os dois Governos em 28 de Junho de 1913, autorizaram os abaixo assinados, a saber:

Contracting Powers.

Vol. 35, p. 2085.

Vol. 38, p. 1861.

O Presidente dos Estados Unidos da América:

S. Ex.<sup>a</sup> o Coronel Thomas H. Birch, Enviado Extraordinário e Ministro Plenipotenciário dos Estados Unidos da América junto da República Portuguesa,

O Presidente da República Portuguesa:

S. Ex.<sup>a</sup> o Sr. João Carlos de Melo Barreto, Ministro dos Negócios Estrangeiros.

a firmar o seguinte Acôrdo:

Plenipotentiaries.

### ARTICLE I

The Convention of Arbitration of April 6, 1908, between the Government of the United States

### ARTIGO I

A Convenção de Arbitragem de 6 de Abril de 1908, entre o Governo dos Estados Unidos da

Convention of 1908  
further extended five  
years.

Vol. 35, p. 2086.

Vol. 38, p. 1851.

of America and the Government of Portugal, the duration of which by Article III thereof was fixed at a period of five years from the date of the exchange of ratifications of the said Convention on November 14, 1908, which period, by the Agreement of June 28, 1913, between the two Governments, was extended for five years from November 14, 1913, is hereby renewed and continued in force for a further period of five years from November 14, 1918.

América e o Governo de Portugal, cuja duração foi fixada no Artigo III da mesma Convenção em cinco anos, contados da data da troca das respectivas ratificações em 14 de Novembro de 1908, prazo este que, pelo Acôrdo de 28 de Junho de 1913 entre os dois Governos, foi prorrogado por cinco anos a contar de 14 Novembro de 1913, é pelo presente Acôrdo renovada e mantida em vigor por um nove prazo de cinco anos a contar de 14 de Novembro de 1918.

## ARTICLE II

## ARTIGO II

Exchange of ratifications.

The present Agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the Portuguese Republic, in accordance with the constitutional laws of the Republic, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Lisbon as soon as possible.

Signatures.

Done in duplicate, in the English and Portuguese languages, at Lisbon, this fourteenth day of September one thousand nine hundred and twenty.

O presente Acôrdo sera ratificado pelo Presidente dos Estados Unidos da América, por conselho e com o consentimento do Senado da República e pelo Presidente da República Portuguesa, em harmonia com as leis constitucionais da República, e entrará em vigor no dia em que se verificar a troca das ratificações, que se realizará em Lisboa no mais breve prazo possível.

Feito em duplicado em Lisboa, nas línguas inglesa e portuguesa, aos catorze dias de Setembro de mil novecentos e vinte.

THOS. H. BIRCH

JOÃO CARLOS DE MELLO BARRETO

Ratifications exchanged.

And whereas the said Agreement has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Lisbon, on the twenty-ninth day of September, one thousand nine hundred and twenty-one;

Proclamation

Now, therefore, be it known that I, Warren G. Harding, President of the United States of America, have caused the said Agreement to be made public, to the end that the same and every article and clause may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the Seal of the United States to be affixed.

Done in the District of Columbia, this thirty-first day of October in the year of our Lord one thousand nine hundred and [SEAL.] twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
Secretary of State.

*Treaty of peace between the United States and Germany. Signed at Berlin, August 25, 1921; ratification advised by the Senate, October 18, 1921; ratified by the President, October 21, 1921; ratified by Germany, November 2, 1921; ratifications exchanged at Berlin, November 11, 1921; proclaimed, November 14, 1921.*

August 25, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION

WHEREAS, by a Joint Resolution of Congress, approved March 3, 1921, it was declared that certain Acts of Congress, joint resolutions and proclamations should be construed as if the war between the United States of America and the Imperial German Government had ended, but certain acts of Congress and proclamations issued in pursuance thereof were excepted from the operation of the said resolution;

Peace with Germany.  
Preamble.  
Vol. 41, p. 1289.

WHEREAS, by a Joint Resolution of Congress approved July 2, 1921, the state of war which was declared by the Joint Resolution of Congress approved April 6, 1917, to exist between the United States of America and the Imperial German Government was declared at an end;

Public Laws, p. 105.  
Vol. 40, p. 1.

WHEREAS, a treaty between the United States and Germany was signed at Berlin on August 25, 1921, to restore the friendly relations existing between the two nations prior to the outbreak of war, which treaty is word for word as follows:

The United States of America  
and  
Germany:

Die Vereinigten Staaten von Amerika  
und  
Deutschland:

Contracting Powers.

Considering that the United States, acting in conjunction with its co-belligerents, entered into an Armistice with Germany on November 11, 1918, in order that a Treaty of Peace might be concluded;

In der Erwägung, daß die Vereinigten Staaten gemeinschaftlich mit ihren Mitkriegführenden am 11. November 1918 einen Waffenstillstand mit Deutschland vereinbart haben, damit ein Friedensvertrag abgeschlossen werden könne;

Considering that the Treaty of Versailles was signed on June 28, 1919, and came into force according to the terms of its Article 440, but has not been ratified by the United States;

In der Erwägung, daß der Vertrag von Versailles am 28. Juni 1919 unterzeichnet wurde und gemäß den Bestimmungen des Artikels 440 in Kraft getreten, aber von den Vereinigten Staaten nicht ratifiziert worden ist;

Considering that the Congress of the United States passed a Joint Resolution, approved by the President July 2, 1921, which reads in part as follows:

In der Erwägung, daß der Kongreß der Vereinigten Staaten einen gemeinsamen Beschluß gefaßt hat, der von dem Präsidenten am 2. Juli 1921 genehmigt worden ist und im Auszug wie folgt lautet:

Resolution of Congress.  
Public Laws, p. 105.

“RESOLVED BY THE  
SENATE AND HOUSE OF  
REPRESENTATIVES OF

„Beschlossen vom Senat  
und dem Repräsentanten-  
haus der Vereinigten



End of the war declared.

Rights of United States, etc., reserved.

THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the state of war declared to exist between the Imperial German Government and the United States of America by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

"Sec. 2. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations, or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Versailles, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

. . . . .

Disposition of property held by United States.

"Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals, which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property of the Imperial and Royal Austro-Hungarian Govern-

Staaten von Amerika, die zum Kongreß versammelt sind, daß der durch den am 6. April 1917 genehmigten gemeinsamen Beschluß des Kongresses erklärte Kriegszustand zwischen der Kaiserlich Deutschen Regierung und den Vereinigten Staaten von Amerika hiermit für beendet erklärt wird.

"Sektion 2. Daß durch Abgabe dieser Erklärung und als ein Teil davon den Vereinigten Staaten von Amerika und ihren Staatsangehörigen jedwede und alle Rechte, Privilegien, Entschädigungen, Reparationen oder Vorteile einschließlich des Rechts, sie zwangsweise durchzuführen, ausdrücklich vorbehalten werden, auf welche die Vereinigten Staaten von Amerika oder ihre Staatsangehörigen nach den am 11. November 1918 unterzeichneten Waffenstillstandsbedingungen sowie irgendwelchen Erweiterungen oder Abänderungen derselben einen Anspruch erworben haben; oder die von den Vereinigten Staaten von Amerika infolge ihrer Beteiligung am Kriege erworben worden sind oder sich in ihrem Besitz befinden; oder auf die ihre Staatsangehörigen dadurch rechtmäßig Anspruch erworben haben; oder die in dem Vertrage von Versailles zu ihren oder ihrer Staatsangehörigen Gunsten festgesetzt worden sind; oder auf die sie als eine der alliierten und assoziierten Hauptmächte oder kraft irgendeines vom Kongreß beschlossenen Gesetzes oder sonstwie einen Anspruch haben.

"Sektion 5. Alles Eigentum der Kaiserlich Deutschen Regierung oder ihres Nachfolgers oder ihrer Nachfolger und das Eigentum aller deutschen Staatsangehörigen, das sich am 6. April 1917 im Besitz oder in der Gewalt der Vereinigten Staaten von Amerika oder eines ihrer Beamten, Vertreter oder Angestellten befand oder seit diesem Tage in deren Besitz oder Gewalt gelangt oder Gegenstand einer Forderung seitens derselben gewesen ist, gleichviel aus welchem Ursprung oder aus welcher Tätigkeit, und alles Eigentum der R. u. K. Österreichisch-Ungarischen

ment, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, where-soever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, or the Imperial and Royal Austro-Hungarian Government, or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise, and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce and industrial property rights, and until the Imperial German Government and the Imperial and Royal

Regierung oder ihres Nachfolgers oder ihrer Nachfolger und aller österreichisch-ungarischen Staatsangehörigen, das sich am 7. Dezember 1917 im Besitz oder in der Gewalt der Vereinigten Staaten von Amerika oder eines ihrer Beamten, Vertreter oder Angestellten befand oder seit diesem Tage in deren Besitz oder Gewalt gelangt oder Gegenstand einer Forderung seitens derselben gewesen ist, gleichviel aus welchem Ursprung oder aus welcher Tätigkeit, soll von den Vereinigten Staaten von Amerika zurückgehalten und darüber keine Verfügung getroffen werden, soweit nicht gesetzlich darüber bereits verfügt ist oder im einzelnen künftig darüber verfügt wird. Dies gilt bis zu dem Zeitpunkt, wo die Kaiserlich Deutsche Regierung beziehungsweise die R. u. K. Österreichisch-Ungarische Regierung oder ihr Nachfolger oder ihre Nachfolger angemessene Vorkehrungen zur Befriedigung aller Forderungen gegen eine der genannten Regierungen seitens aller Personen ohne Rücksicht auf ihren Wohnsitz getroffen haben, die zu den Vereinigten Staaten von Amerika in einem dauernden Treuverhältnis stehen, und die durch Handlungen der Kaiserlich Deutschen Regierung oder ihrer Vertreter oder der R. u. K. Österreichisch-Ungarischen Regierung oder deren Vertreter seit dem 31. Juli 1914 Verlust, Nachteil oder Schaden an ihrer Person oder ihrem Eigentum unmittelbar oder mittelbar, sei es durch den Besitz von Anteilen deutscher, österreichisch-ungarischer, amerikanischer oder anderer Körperschaften oder infolge von Feindseligkeiten oder irgendwelchen Kriegshandlungen oder auf andere Weise erlitten haben, ferner solchen Personen, die zu den Vereinigten Staaten von Amerika in einem dauernden Treuverhältnis stehen, das Weisheitsbeginnungsrecht in allen Angelegenheiten, betreffend Niederlassung, Geschäftsbetrieb, Berufsausübung, Verkehr, Schifffahrt, Handel und gewerbliche Schutzrechte, zugestanden haben, einerlei, ob dieses Recht auf die Nationalität abgestellt oder sonstwie bestimmt ist; endlich bis die Kaiserlich Deutsche Regierung beziehungsweise die R. u. K.

Austro-Hungarian Government, or their successor or successors, shall have respectively confirmed to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America."

Being desirous of restoring the friendly relations existing between the two Nations prior to the outbreak of war:

Plenipotentiaries.

Have for that purpose appointed their plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

ELLIS LORING DRESEL, Commissioner of the United States of America to Germany,

and

THE PRESIDENT OF THE GERMAN EMPIRE

Dr. FRIEDRICH ROSEN, Minister for Foreign Affairs,

Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

#### ARTICLE I.

Rights, privileges, etc., accorded by Germany.

Germany undertakes to accord to the United States, and the United States shall have and enjoy, all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of Versailles which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States.

Public Laws, p. 105.

Österreichisch-Ungarische Regierung oder ihr Nachfolger oder ihre Nachfolger den Vereinigten Staaten von Amerika gegenüber alle von diesen während des Krieges auferlegten oder verfügten Strafgelder, Verwahrungen, Bußen und Beschlagnahmen bestätigt haben, gleichviel ob diese Eigentum der Kaiserlich Deutschen Regierung oder deutscher Staatsangehöriger oder der k. u. k. Österreichisch-Ungarischen Regierung oder österreichisch-ungarischer Staatsangehöriger betreffen, und bis sie auf allen und jeden Verbandspruch gegen die Vereinigten Staaten von Amerika verzichtet haben."

In dem Wunsche, die freundschaftlichen Beziehungen, die vor Ausbruch des Krieges zwischen den beiden Nationen bestanden haben, wieder herzustellen,

Haben zu diesem Zwecke zu ihren Bevollmächtigten bestellt:

der Präsident der Vereinigten Staaten von Amerika

den Commissioner der Vereinigten Staaten von Amerika in Deutschland, Herrn Ellis Loring Dresel

und

der Präsident des Deutschen Reichs

den Reichsminister des Auswärtigen, Herrn Dr. Friedrich Rosen.

Diese haben nach Austausch ihrer für gut und richtig befundenen Vollmachten folgendes vereinbart:

#### Artikel I.

Deutschland verpflichtet sich, den Vereinigten Staaten zu gewähren und die Vereinigten Staaten sollen besitzen und genießen alle Rechte, Privilegien, Entschädigungen, Reparationen oder Vorteile, die in dem vorgenannten gemeinschaftlichen Beschlusse des Kongresses der Vereinigten Staaten vom 2. Juli 1921 näher bezeichnet sind, mit Einschluß aller Rechte und Vorteile, die zugunsten der Vereinigten Staaten in dem Vertrag von Versailles festgesetzt sind und die Vereinigten Staaten in vollem Umfange genießen sollen, ungeachtet der Tatsache, daß dieser Vertrag von den Vereinigten Staaten nicht ratifiziert worden ist.

## ARTICLE II.

## Artikel II.

With a view to defining more particularly the obligations of Germany under the foregoing Article with respect to certain provisions in the Treaty of Versailles, it is understood and agreed between the High Contracting Parties:

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States, which it is intended the United States shall have and enjoy, are those defined in Section 1, of Part IV, and Parts V, VI, VIII, IX, X, XI, XII, XIV, and XV.

The United States in availing itself of the rights and advantages stipulated in the provisions of that Treaty mentioned in this paragraph will do so in a manner consistent with the rights accorded to Germany under such provisions.

(2) That the United States shall not be bound by the provisions of Part I of that Treaty, nor by any provisions of that Treaty including those mentioned in Paragraph (1) of this Article, which relate to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations, or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Sections 2 to 8 inclusive of Part IV, and Part XIII of that Treaty.

(4) That, while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty, and in any other Commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

In der Absicht, die Verpflichtungen Deutschlands gemäß dem vorübergehenden Artikel mit Beziehung auf gewisse Bestimmungen des Vertrags von Versailles näher zu bestimmen, besteht Einverständnis und Einigung zwischen den Hohen Vertragsschließenden Teilen darüber:

1. daß die Rechte und Vorteile, die in jenem Vertrage zugunsten der Vereinigten Staaten festgesetzt sind und die die Vereinigten Staaten besitzen und genießen sollen, diejenigen sind, die in Abschnitt 1 des Teiles IV und in den Teilen V, VI, VIII, IX, X, XI, XII, XIV und XV aufgeführt sind.

Wenn die Vereinigten Staaten die in den Bestimmungen jenes Vertrags festgesetzten und in diesem Paragraphen erwähnten Rechte und Vorteile für sich in Anspruch nehmen, werden sie dies in einer Weise tun, die mit den Deutschland nach diesen Bestimmungen zustehenden Rechten im Einklang steht;

2. daß die Vereinigten Staaten nicht an die Bestimmungen des Teiles I jenes Vertrags noch an irgendwelche Bestimmungen jenes Vertrags, mit Einschluß der in Nr. 1 dieses Artikels erwähnten, gebunden sein sollen, die sich auf die Völkerbundsatzung beziehen, daß auch die Vereinigten Staaten durch keine Maßnahme des Völkerbundes, des Völkerbundsrates oder der Völkerbundversammlung gebunden sein sollen, es sei denn, daß die Vereinigten Staaten ausdrücklich ihre Zustimmung zu einer solchen Maßnahme geben;

3. daß die Vereinigten Staaten keine Verpflichtungen aus den Bestimmungen des Teiles II, Teiles III, der Abschnitte 2 bis einschließend 8 des Teiles IV und des Teiles XIII des bezeichneten Vertrags oder mit Beziehung auf diese Bestimmungen übernehmen;

4. daß, während die Vereinigten Staaten berechtigt sind, an der Reparationskommission gemäß den Bestimmungen des Teiles VIII jenes Vertrags und an irgendeiner anderen auf Grund des Vertrags oder eines ergänzenden Übereinkommens eingesetzten Kommission teilzunehmen, die Vereinigten Staaten nicht verpflichtet sind, sich an irgendeiner solchen Kommission zu beteiligen, es sei denn, daß sie dies wollen;

Obligations of Germany under Versailles Treaty.

Sections specified.

Rights of Germany conserved.

Provisions of that Treaty not binding on United States, unless assent given.

Obligations not assumed by the United States.

Participation in any Commission subject to election to do so.

Time limitations declared.

(5) That the periods of time to which reference is made in Article 440 of the Treaty of Versailles shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

5. daß die im Artikel 440 des Vertrags von Versailles erwähnten Fristen, soweit sie sich auf eine Maßnahme oder Entschliebung der Vereinigten Staaten beziehen, mit dem Inkrafttreten des gegenwärtigen Vertrags zu laufen beginnen sollen.

## ARTICLE III.

## Artikel III.

Exchange of ratifications.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Berlin.

Der gegenwärtige Vertrag soll gemäß den verfassungsrechtlichen Formen der hohen Vertragsschließenden Teile ratifiziert werden und soll sofort mit Austausch der Ratifikationsurkunden, der so bald als möglich in Berlin stattfinden wird, in Kraft treten.

Signatures.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten diesen Vertrag unterzeichnet und ihre Siegel beigesetzt.

Done in duplicate in Berlin this twenty-fifth day of August 1921.

Ausgefertigt in doppelter Urchrift in Berlin am 25. August 1921.

[SEAL.] ELLIS LORING DRESEL  
[SEAL.] ROSEN

[SEAL.] ELLIS LORING DRESEL  
[SEAL.] ROSEN

Ratifications exchanged.

AND WHEREAS, the said treaty has been duly ratified on both parts, and the ratifications of the two countries were exchanged at Berlin on November 11, 1921;

Proclamation.

NOW THEREFORE be it known that I, Warren G. Harding, President of the United States of America, hereby proclaim that the war between the United States and Germany terminated on July 2, 1921, and cause the said treaty to be made public to the end that every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this fourteenth day of November One Thousand Nine Hundred and Twenty-one and of the  
[SEAL.] Independence of the United States of America the One Hundred and Forty-sixth.

WARREN G. HARDING

By the President:  
CHARLES E. HUGHES  
Secretary of State.

October 21, 1921.

[RATIFICATION.]

WARREN G. HARDING,

President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Ratification by the President of the United States.

KNOW YE, That whereas a Treaty between the United States of America and Germany to restore the friendly relations existing between the two nations prior to the outbreak of war, was concluded and signed by their respective plenipotentiaries at Berlin on August 25, 1921, the original of which Treaty, in the English and German languages, is hereto annexed:

And Whereas, the Senate of the United States, by their resolution of October 18, 1921, (two-thirds of the Senators present concurring therein) did advise and consent to the ratification of the said Treaty, subject to the understanding, made a part of the resolution of ratification, "that the United States shall not be represented or participate in any body, agency or commission, nor shall any person represent the United States as a member of any body, agency or commission in which the United States is authorized to participate by this Treaty, unless and until an Act of the Congress of the United States shall provide for such representation or participation"; and subject to the further understanding, made a part of the resolution of ratification, "that the rights and advantages which the United States is entitled to have and enjoy under this Treaty embrace the rights and advantages of nationals of the United States specified in the Joint Resolution or in the provisions of the Treaty of Versailles to which this Treaty refers";

NOW, therefore, be it known that I, Warren G. Harding, President of the United States of America, having seen and considered the said Treaty, do hereby, in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof, subject to the understandings hereinabove recited.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the twenty-first day of October, in the year of our Lord one thousand  
[SEAL.] nine hundred and twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

August 24, 1921.

*Treaty of peace between the United States and Austria. Signed at Vienna, August 24, 1921; ratification advised by the Senate, October 18, 1921; ratified by Austria, October 8, 1921; ratified by the President, October 21, 1921; ratifications exchanged at Vienna, November 8, 1921; proclaimed, November 17, 1921.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

Peace with Austria,  
Preamble.  
Vol. 41, p. 1359.

WHEREAS, by a Joint Resolution of Congress approved March 3, 1921, it was declared that certain acts of Congress, joint resolutions and proclamations should be construed as if the war between the United States of America and the Imperial and Royal Austro-Hungarian Government had ended, but certain acts of Congress and proclamations issued in pursuance thereof were excepted from the operation of the said resolution;

Public Laws, p. 106.  
Vol. 40, p. 429.

WHEREAS, by a Joint Resolution of Congress approved July 2, 1921, the state of war which was declared by the Joint Resolution of Congress approved December 7, 1917, to exist between the United States of America and the Imperial and Royal Austro-Hungarian Government was declared at an end;

Contracting Powers.

WHEREAS, a treaty between the United States and Austria to establish friendly relations between the two nations was signed at Vienna on August 24, 1921, which treaty is word for word as follows:

The United States of America and Austria:

Considering that the United States, acting in conjunction with its co-belligerents entered into an Armistice with Austria-Hungary on November 3<sup>d</sup>, 1918, in order that a Treaty of peace might be concluded;

Considering that the former Austro-Hungarian Monarchy ceased to exist and was replaced in Austria by a republican Government;

Considering that the Treaty of St. Germain-en-Laye to which Austria is a party was signed on September 10<sup>th</sup>, 1919, and came into force according to the terms of its Article 381, but has not been ratified by the United States;

Considering that the Congress of the United States passed a Joint Resolution approved by the President July 2<sup>d</sup>, 1921, which reads in part as follows;

Resolution of Congress.

*"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

Public Laws, p. 106.

*"That the state of war declared to exist between the Imperial and Royal Austro-Hungarian Government and the United States of America by the joint resolution of Congress approved December 7<sup>th</sup>, 1917, is hereby declared at an end.*

*"Sec. 4. That in making this declaration, and as a part of it, there are expressly reserved to the United States of America and its nationals any and all rights, privileges, indemnities, reparations or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed*

November 8<sup>d</sup>, 1918, or any extension or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the Treaty of St. Germain-en-Laye or the Treaty of Trianon, have been stipulated for its or their benefit; or to which it is entitled as one of the principal Allied and Associated Powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

"Sect. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals which was on April 6<sup>th</sup>, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, and all property, of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7<sup>th</sup>, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government or its agents, or the Imperial and Royal Austro-Hungarian Government or its agents since July 31<sup>st</sup>, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights and until the Imperial German Government and the Imperial and Royal Austro-Hungarian Government or its successor or successors shall have respectively confirmed to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America."

Being desirous of establishing securely friendly relations between the two Nations;

Have for that purpose appointed their plenipotentiaries;  
The President of the United States of America:

Plenipotentiaries.

ARTHUR HUGH FRAZIER

and the Federal President of the Republic of Austria:

JOHANN SCHÖBER



Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

### Article I.

Rights, privileges,  
etc., accorded to the  
United States.  
Public Laws, p. 106.

Austria undertakes to accord to the United States and the United States shall have and enjoy all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2<sup>d</sup>, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of St. Germain-en-Laye which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States. The United States in availing itself of the rights and advantages stipulated in the provisions of that Treaty, will do so in a manner consistent with the rights accorded to Austria under such provisions.

### Article II.

Obligations assumed  
by Austria.

With a view to defining more particularly the obligations of Austria under the foregoing Article with respect to certain provisions in the Treaty of St. Germain-en-Laye, it is understood and agreed between the High Contracting Parties:

Rights, etc., for the  
United States stipu-  
lated in Treaty of St.  
Germain-en-Laye.

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States which it is intended the United States shall have and enjoy, are those defined in Parts V, VI, VIII, IX, X, XI, XII and XIV.

Provisions not bind-  
ing on United States  
unless assented to.

(2) That the United States shall not be bound by the provisions of Part I of that Treaty nor by any provisions of that Treaty including those mentioned in paragraph (1) of this Article which relate to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

Obligations not as-  
sumed by the United  
States.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Part IV and Part XIII of that Treaty.

Participation in Rep-  
aration Commission by  
the United States sub-  
ject to election so to do.

(4) That, while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty and in any other commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

Time limitations de-  
clared.

(5) That the periods of time to which reference is made in Article 381 of the Treaty of St. Germain-en-Laye shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

### Article III.

Exchange of ratifica-  
tions.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Vienna.

Signatures.

In witness whereof, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate in Vienna, this twentyfourth day of August 1921.

[SEAL.] ARTHUR HUGH FRAZIER.

[SEAL.] SCHÖBER

AND, WHEREAS, the said treaty has been duly ratified on both parts, and the ratifications of the two countries were exchanged at Vienna on November 8, 1921;

Ratifications  
exchanged.

NOW, THEREFORE, be it known that I, Warren G. Harding, President of the United States of America, hereby proclaim that the war between the United States and the Imperial and Royal Austro-Hungarian Government, which was declared by the said resolution of December 7, 1917, to exist, terminated on July 2, 1921, and cause the said treaty to be made public to the end that every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this seventeenth day of November, One Thousand Nine Hundred and Twenty-one, and of [SEAL.] the Independence of the United States of America the One Hundred and Forty-sixth.

WARREN G HARDING

By the President:

CHARLES E. HUGHES

*Secretary of State.*

[RATIFICATION.]

October 21, 1921.

WARREN G. HARDING,

President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME,  
GREETING:

KNOW YE, That whereas a Treaty between the United States of America and Austria to restore the friendly relations existing between the two nations prior to the outbreak of war, was concluded and signed by their respective plenipotentiaries at Vienna on August 24, 1921, the original of which Treaty, in the English language, is hereto annexed:

Ratification by the  
President of the  
United States.

And Whereas, the Senate of the United States, by their resolution of October 18, 1921, (two-thirds of the Senators present concurring therein) did advise and consent to the ratification of the said Treaty, subject to the understanding, made a part of the resolution of ratification, "that the United States shall not be represented or participate in any body, agency or commission, nor shall any person represent the United States as a member of any body, agency or commission in which the United States is authorized to participate by this Treaty, unless and until an Act of the Congress of the United States shall provide for such representation or participation;" and subject to the further understanding, made a part of the resolution of ratification, "that the rights and advantages which the United States is entitled to have and enjoy under this Treaty embrace the rights and advantages of nationals of the United States specified in the Joint Resolution or in the provisions of the Treaty of Germain-Ley to which this Treaty refers":

NOW, therefore, be it known that I, Warren G. Harding, President of the United States of America, having seen and considered the said Treaty, do hereby, in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof, subject to the understandings hereinabove recited.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the twenty-first day of October, in the year of Our Lord one thousand nine  
[SEAL.] hundred and twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

WARREN G HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

## INDEX TO THE FOREGOING TREATIES AND CONVENTIONS.

|   | Page. |  | Page. |
|---|-------|--|-------|
| <b>A.</b>   |       | <b>Peace,</b>                              |       |
| <i>Agreements,</i>                                  |       | treaty of, with Austria.....               | 124   |
| for arbitration of claims, Norway.....              | 103   | with Germany.....                          | 117   |
| extending arbitration convention with               |       | <b>Peace, General,</b>                     |       |
| Portugal.....                                       | 115   | treaty for advancement of, with Venezuela. | 98    |
| <i>Amity, etc.,</i>                                 |       | <b>Plague, etc.,</b>                       |       |
| treaty of, with Siam.....                           | 106   | international convention concluded to      |       |
| <i>Arbitration Convention,</i>                      |       | guard against epidemic.....                | 1     |
| agreement extending, with Portugal.....             | 115   | <b>Portugal,</b>                           |       |
| <i>Austria,</i>                                     |       | agreement extending arbitration conven-    |       |
| treaty of peace with.....                           | 124   | tion with.....                             | 115   |
| <b>C.</b>   |       | <b>Postal Convention,</b>                  |       |
| <i>Cholera, etc.,</i>                               |       | parcel post, with Spain.....               | 87    |
| international convention concluded to               |       | <b>Protocol,</b>                           |       |
| guard against epidemic.....                         | 1     | to treaty with Siam, relinquishing extra-  |       |
| <i>Claims,</i>                                      |       | territorial rights of American citi-       |       |
| agreement with Norway for arbitration of..          | 103   | zens in Siam.....                          | 111   |
| <i>Commerce and Navigation,</i>                     |       | <b>S.</b>                                  |       |
| treaty of, with Siam.....                           | 106   | <b>Sanitary Convention, International,</b> |       |
| <i>Conventions (see also Treaties),</i>             |       | concluded with other Powers.....           | 1     |
| international sanitary.....                         | 1     | <b>Shipping Board, United States,</b>      |       |
| parcel post, with Spain.....                        | 87    | agreement with Norway for arbitration of   |       |
| <b>E.</b>   |       | claims presented to, Emergency             |       |
| <i>Emergency Fleet Corporation, Shipping Board,</i> |       | Fleet Corporation.....                     | 103   |
| agreement with Norway for arbitrating               |       | <b>Siam,</b>                               |       |
| claims of its subjects against.....                 | 103   | treaty of amity, commerce and navigation,  |       |
| <i>Epidemics,</i>                                   |       | with, revising hitherto existing           |       |
| international convention to guard against.          | 1     | treaties.....                              | 106   |
| <i>Extraterritoriality,</i>                         |       | protocol as to termination of extraterri-  |       |
| protocol to treaty with Siam, relinquishing,        |       | torial jurisdiction over American          |       |
| as to American citizens.....                        | 111   | citizens, etc.....                         | 111   |
| <b>F.</b>   |       | <b>Spain,</b>                              |       |
| <i>Friendly Relations,</i>                          |       | parcel post convention with.....           | 87    |
| treaty restoring, with Austria.....                 | 124   | <b>T.</b>                                  |       |
| with Germany.....                                   | 117   | <b>Treaties (see also Conventions),</b>    |       |
| <b>G.</b>   |       | amity, commerce and navigation, with       |       |
| <i>Germany,</i>                                     |       | Siam.....                                  | 106   |
| treaty of peace with.....                           | 117   | for the advancement of general peace, with |       |
| <b>I.</b>   |       | Venezuela.....                             | 98    |
| <i>International Sanitary Convention,</i>           |       | peace, with Austria.....                   | 124   |
| concluded with other Powers.....                    | 1     | with Germany.....                          | 117   |
| <b>N.</b>   |       | <b>V.</b>                                  |       |
| <i>Norway,</i>                                      |       | <b>Venezuela,</b>                          |       |
| agreement with, for arbitration of certain          |       | treaty with, for advancement of general    |       |
| claims.....   | 103   | peace.....                                 | 98    |
| <b>P.</b>   |       | <b>W.</b>                                  |       |
| <i>Page Brothers,</i>                               |       | <b>World War,</b>                          |       |
| claim of, to be determined by claims agree-         |       | treaty declaring end of, with Austria..... | 124   |
| ment with Norway.....                               | 104   | with Germany.....                          | 117   |
| <i>Parcel Post Convention,</i>                      |       | <b>Y.</b>                                  |       |
| with Spain.....                                     | 87    | <b>Yellow Fever,</b>                       |       |
|   |       | international convention concluded to      |       |
|   |       | guard against epidemic.....                | 1     |



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**PROCLAMATIONS**  
**OF THE**  
**PRESIDENT OF THE UNITED STATES.**

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## LIST OF PROCLAMATIONS.

|   | Page. |
|---|-------|
| Reserving Biscayne Bay, Fla., tract of land for Coast Guard. March 11, 1921.....  | 1     |
| Convening extra session of Congress. March 22, 1921.....  | 2     |
| Enlarging area of the Pisgah National Forest, North Carolina. March 25, 1921.....   | 2     |
| Appointing James C. Davis, Director General of Railroads. March 26, 1921.....   | 5     |
| Designating James C. Davis as agent in actions arising out of Federal control of transportation systems, etc. March 26, 1921..... | 5     |
| Designating week of May 22-28, 1921, as Forest Protection Week. April 7, 1921.....  | 6     |
| Announcing Monday, May 30, 1921, a day of public memorial. May 3, 1921.....   | 7     |
| Suspending discriminating duties on vessels of Poland and Danzig. May 6, 1921.....  | 7     |
| Modifying regulations for protection of migratory birds. May 17, 1921.....  | 8     |
| Transferring certain lands to Porto Rico. May 19, 1921.....   | 9     |
| Diminishing area of the Toiyabe National Forest, Nevada. May 25, 1921.....  | 10    |
| Enlarging area of the Nezperce National Forest, Idaho. July 9, 1921.....  | 11    |
| Enlarging area of the Lassen National Forest, California. July 18, 1921.....  | 12    |
| Modifying area of the Plumas National Forest, California. July 18, 1921.....  | 13    |
| Diminishing area of the Tahoe National Forest, California. July 18, 1921.....   | 13    |
| Extending time for payments on ceded Crow Indian lands. August 11, 1921.....  | 14    |
| Commanding persons engaged in insurrectionary proceedings in West Virginia to disperse. August 30, 1921.....                      | 15    |
| Continuing Marine and Seamen's Division, Veterans' Bureau, until December 31, 1921. September 1, 1921.....                        | 16    |
| Setting aside addition to Muir Woods National Monument, California. September 22, 1921.....                                       | 17    |
| Designating October 10, 1921, as Fire Prevention Day. September 27, 1921.....   | 19    |
| Designating November 11, 1921, for silent prayer for unidentified dead who lost their lives in World War. September 30, 1921..... | 20    |
| Announcing death of Senator Philander Chase Knox, formerly Attorney General and Secretary of State. October 13, 1921.....         | 21    |
| Designating Thursday, November 24, 1921, as a day of general thanksgiving. October 31, 1921.....                                  | 22    |
| Declaring November 11, 1921, a holiday to commemorate those who gave their lives in the World War. November 4, 1921.....          | 23    |
| Diminishing area of the Columbia and Colville National Forests, Washington. November 4, 1921..                                    | 24    |
| Enlarging area of the Weiser National Forest, Idaho. November 19, 1921.....   | 25    |
| Urging observance of American Educational Week. November 21, 1921.....  | 26    |





## PROCLAMATIONS.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

March 11, 1921.

### A PROCLAMATION.

WHEREAS, the President of the United States, by Executive Order bearing date the twenty eighth day of July, A. D. one thousand eight hundred and seventy five, made a permanent reservation of a tract of land, approximately ten (10) acres in extent, along the entire east side of Lot 6, Section 2, Township 53 South, Range 42 East, Tallahassee Meridian, Florida, for Life Saving purposes, and

Biscayne Bay, Fla.,  
Life Saving House of  
Refuge.  
Preamble.

WHEREAS, the Secretary of the Interior, on the twenty fifth day of April, A. D. one thousand eight hundred and ninety one, made a temporary reservation of the balance of said Lot 6, Section 2, Township 53 South, Range 42 East, Tallahassee Meridian, pending the procurement of proper description of the tract of land desired for use in connection with the Biscayne Bay House of Refuge, of the Life Saving Service, and

WHEREAS, the Secretary of the Treasury, by letter dated the seventh day of March, A. D. one thousand nine hundred and twenty one, has requested that part of the permanent reservation be continued, part of the temporary reservation be made permanent, and the balance of the land, within the said reservations, be restored to the public domain;

NOW THEREFORE, I, Warren G. Harding, President of the United States, do hereby permanently reserve from all forms of disposition, for the Coast Guard, all of that tract of land, containing twenty five (25) acres, more or less, within Lot 6, Section 2, Township 53 South, Range 42 East, Tallahassee Meridian, Florida, situate, lying and being between the south line of said Lot 6 and a line five hundred (500) feet directly north thereof and running parallel with the said south line of said Lot 6, and extending from the Atlantic Ocean on the east to Indian Creek, or Biscayne Bay, on the west. I do hereby release from withdrawal and restore to the public domain, subject to the public land laws of the United States, and to the jurisdiction of the Interior Department, the balance of land embraced within said Lot 6, Section 2, Township 53 South, Range 42 East, Tallahassee Meridian, Florida, outside of the permanent withdrawal herein created, and within the withdrawals of the twenty eighth day of July, A. D. one thousand eight hundred and seventy five and the twenty fifth day of April, A. D. one thousand eight hundred and ninety one, which are, in part, hereby vacated.

Reserving tract of  
land for Coast Guard.

Lands restored to  
public domain.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this 11th day of March, in the year of our Lord one thousand nine hundred and twenty [SEAL] one, and of the Independence of the United States of America one hundred and forty fifth.

WARREN G HARDING

By the President:  
CHARLES E. HUGHES  
Secretary of State.

March 22, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION.

Preamble.

WHEREAS public interests require that the Congress of the United States should be convened in extra session at twelve o'clock, noon, on the eleventh day of April, 1921, to receive such communication as may be made by the Executive;

Convening extra session of Congress, April 11, 1921.

NOW, THEREFORE, I, Warren G. Harding, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the District of Columbia on the eleventh day of April, 1921, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

Given under my hand and the seal of the United States in the District of Columbia the 22nd day of March in the year of our Lord one thousand nine hundred and twenty-one, and of the  
[SEAL.] Independence of the United States the one hundred and forty-fifth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

March 25, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Pisgah National Forest, N. C.  
Preamble.  
Vol. 36, p. 961.

WHEREAS, certain lands within the State of North Carolina, acquired by the United States under authority of the Act of Congress approved March first, nineteen hundred and eleven (Thirty-sixth Statutes at Large, page nine hundred and sixty-one), entitled "An Act To enable any State to cooperate with any other State, or States, or with the United States, for the protection of watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers", have, by proclamations of the President of October 17, 1916, January 16, 1920, and January 29, 1920, been reserved and set apart as public forest reservations, known respectively as the Pisgah National Forest, the Boone National Forest and the Nantahala National Forest, and certain other lands known as the Olmstead lands, were, by the Act of Congress approved July sixth, nineteen hundred and twelve (Thirty-seventh Statutes at Large, page one hundred and eighty-nine), entitled "An Act For the transfer of the so-called Olmstead lands, in the State of North Carolina, from the Solicitor of the Treasury to the Secretary of Agriculture", placed in charge of the Secretary of Agriculture and made subject to such of the provisions of the said Act of March first, nineteen hundred and eleven, as apply to lands purchased thereunder; and

Vol. 40, p. 152.  
Vol. 41, pp. 1734, 1735.

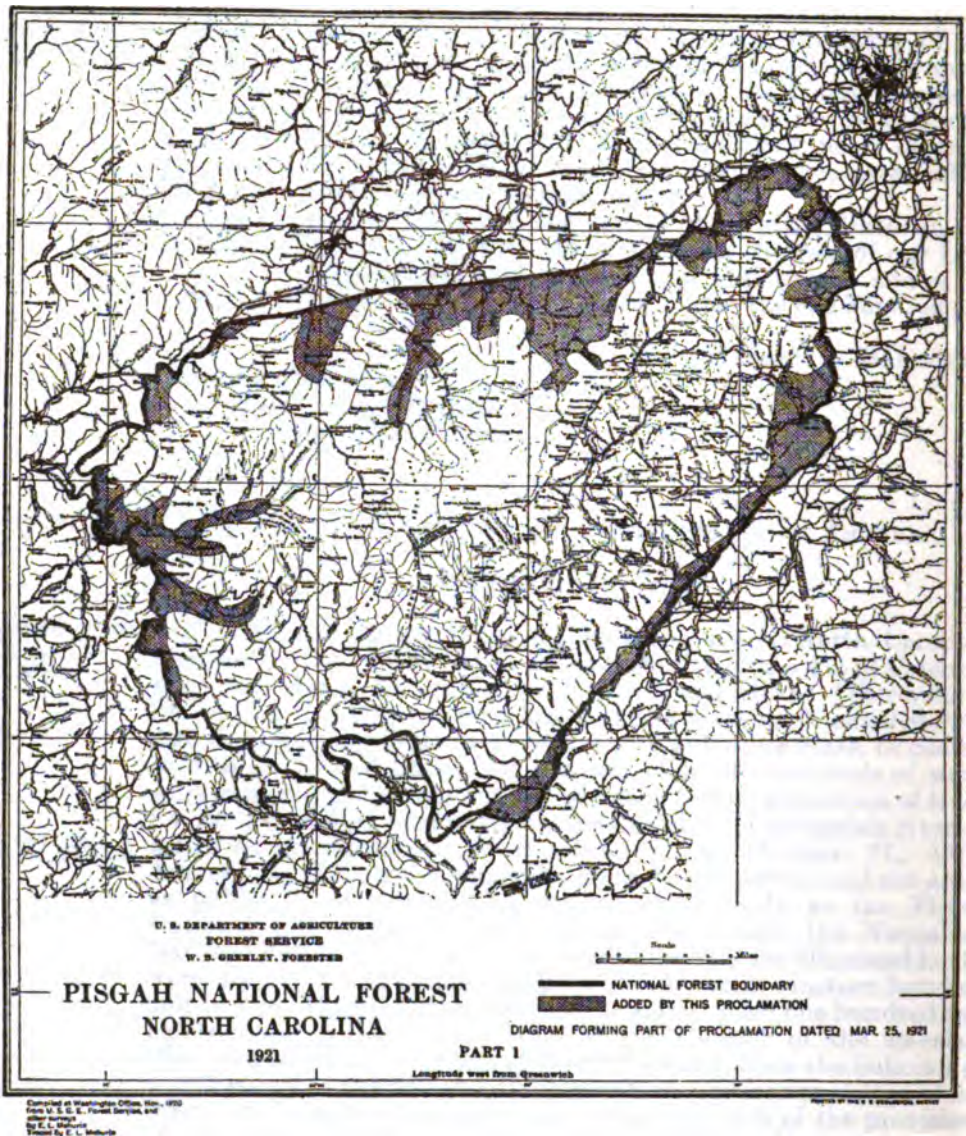
Vol. 37, p. 130.

WHEREAS, it appears that the public good will be promoted by merging the said Olmstead lands and the said Boone, Pisgah and a part of the said Nantahala National Forest into one National Forest, which has been designated by the Secretary of Agriculture as the Pisgah National Forest;

Area enlarged.  
Vol. 36, p. 963.

NOW, THEREFORE, I, WARREN G. HARDING, President of the United States of America, by virtue of the power in me vested by section eleven of said Act of March first, nineteen hundred and





# PROCLAMATIONS, 1921.

3

eleven, and by section twenty-four of the Act of March third; eighteen hundred and ninety-one (Twenty-sixth Statutes at Large, page eleven hundred and three), entitled "An act to repeal timber-culture laws, and for other purposes", do proclaim that the boundaries of the Pisgah National Forest, as last designated by the Secretary of Agriculture, shall be as described and shown in the metes and bounds descriptions and on the diagrams designated as Parts 1, 2 and 3, attached hereto and made a part hereof, and that said Olmstead lands and all lands within said boundaries which have been or may hereafter be acquired by the United States under authority of said Act of March first, nineteen hundred and eleven, shall be permanently reserved and administered as the Pisgah National Forest.

Vol. 26, p. 1102.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this 25th day of March, in the year of our Lord one thousand nine hundred and twenty-one, and of the Independence of the United States the one hundred and forty-fifth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

## DESCRIPTION FOR THE PROCLAMATION OF PISGAH NATIONAL FOREST.

Pisgah National Forest, N. C.

### Part 1.

BEGINNING at Sandy Bottom on the French Broad River in Buncombe County, North Carolina, thence with the public road across Avery Creek through a low gap between Double Head Mountain and Chestnut Mountain and continuing with said road to Mills River, crossing McDowell Creek and Foster Creek, continuing with the public road after crossing Mills River up said river to Sitton; thence following the road crossing Forge Mountain to the Boylston road; thence with the Boylston road to Brevard (this is known as the "Old Haywood road"); thence with the road to Rosman, N. C.; thence with the Rosman-Galloway road to the top of the Blue Ridge; thence following the Blue Ridge around the heads of Toxaway River and Horsepasture River to Laurel Mountain; thence along the ridge to Double Mountain; thence along the ridge to the top of Big Ridge; thence from the top of Big Ridge down Raven Fork to its junction with Trout Creek; thence down Trout Creek to its junction with the west fork of Tuckaseegee River; thence down the West Fork of Tuckaseegee River to its junction with the main prong of Tuckaseegee River; thence down Tuckaseegee River to the mouth of Locust Creek; thence up Locust Creek to Soapstone Gap; thence with the road down Soapstone Creek to Willets, N. C.; thence with the Murphy Branch of the Southern Railway to Balsam Gap; thence in a direct line to Pinnacle Knob; thence in a direct line to Beatty Mountain; thence in a direct line to Sugar Top, being a point in the Buncombe-Haywood county line; thence down the ridge between Warren Creek and South Hominy Creek to South Hominy Creek road; thence following the road around the southern side of Dunsmore Mountain to South Hominy Creek; thence with the road across the ridge to Beaverdam Creek; thence with the road down Beaverdam Creek to its junction with the old Haywood road; thence with the old Haywood road to Sandy Bottom, the point of BEGINNING.

Description of Diagram, Part 1.

**Pisgah National Forest, N. C. DESCRIPTION FOR THE PROCLAMATION OF PISGAH NATIONAL FOREST**

*Part 2.*

Description of Diagram, Part 2.

**BEGINNING AT** the town of Old Fort, McDowell County, North Carolina, on the Catawba River; thence up Catawba River to the road near its head; thence in a northwesterly direction with the road to where it crosses one of the headwater branches of the Swannanoa River and the Southern Railway and about three-quarters of a mile west of B. M. 2522 in Swannanoa Gap; thence following down Swannanoa River to the mouth of Bull Creek; thence up Bull Creek to its head; thence with the road in a northerly direction through Bull Gap to the head of Ox Creek; thence down Ox Creek to its confluence with Reems Creek; thence up Reems Creek to the post office of Beech; thence in a northerly direction with the road through the gap east of Raven Knob, and continuing along said road and down Paint Fork to Barnardsville and North Ivy River; thence up North Ivy River approximately two miles to the mouth of Martin Creek; thence up Martin Creek to the top of Coxcomb Mountain, which is the Buncombe-Yancey county line; thence in an easterly direction following the county line approximately one mile to the head of Elk Creek; thence down Elk Creek to Cane River; thence down Cane River to the mouth of Bowlens Creek; thence in a northeasterly direction approximately one mile and over the top of a ridge to Little Crabtree Creek at a point one-half mile east of B. M. 2706 established in the town of Burnsville; thence down Little Crabtree Creek to Micaville; thence with the road from Micaville to Spruce Pine via Estato; thence with the road from Spruce Pine to Little Switzerland on the crest of the Blue Ridge; thence along the crest of the Blue Ridge to the corner common to Avery, McDowell, and Burke Counties; thence in a northeasterly direction with the Avery-Burke county line to the Linville River; thence following up Linville River to Linville Gap; thence through said gap and down the road to the head of Watauga River; thence down Watauga River to Foscoe; thence following the road in a southeasterly direction to the Yonahlossee Road; thence with the Yonahlossee Road around the head of Johns River to Blowing Rock; thence continuing southeasterly along the road to Fairview, to Kirby Gap, and to the town of Patterson on Yadkin River; thence in a southwesterly direction along the road passing through Collettsville, Waters, Joy, and Table Rock, to Linville River; thence up Linville River approximately two miles to the forks of the road; thence with the left-hand fork of the road to the confluence of the North Fork and the Catawba River; thence up the Catawba River to Old Fort, the place of BEGINNING.

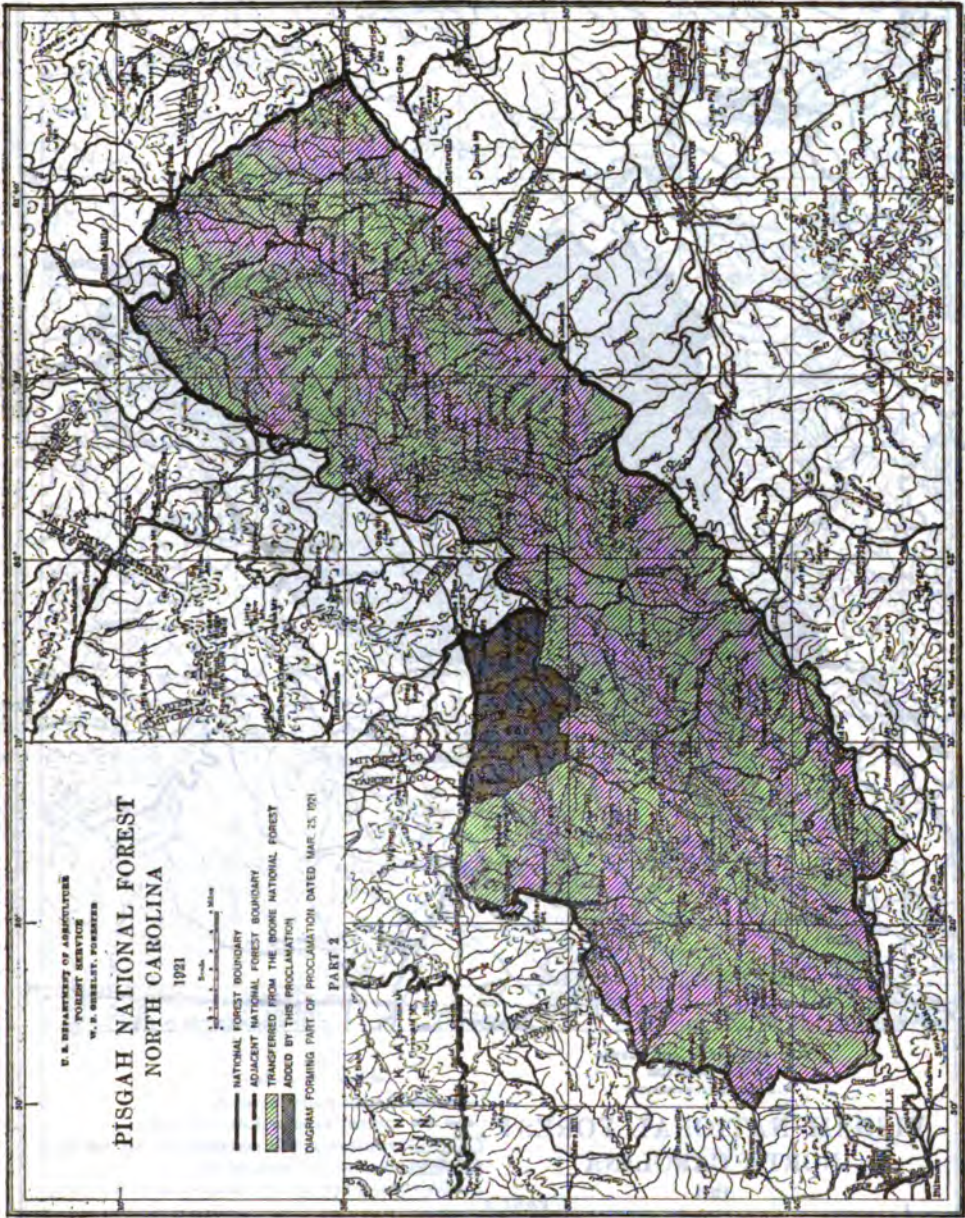
**Pisgah National Forest, N. C. DESCRIPTION FOR THE PROCLAMATION OF PISGAH NATIONAL FOREST.**

*Part 3.*

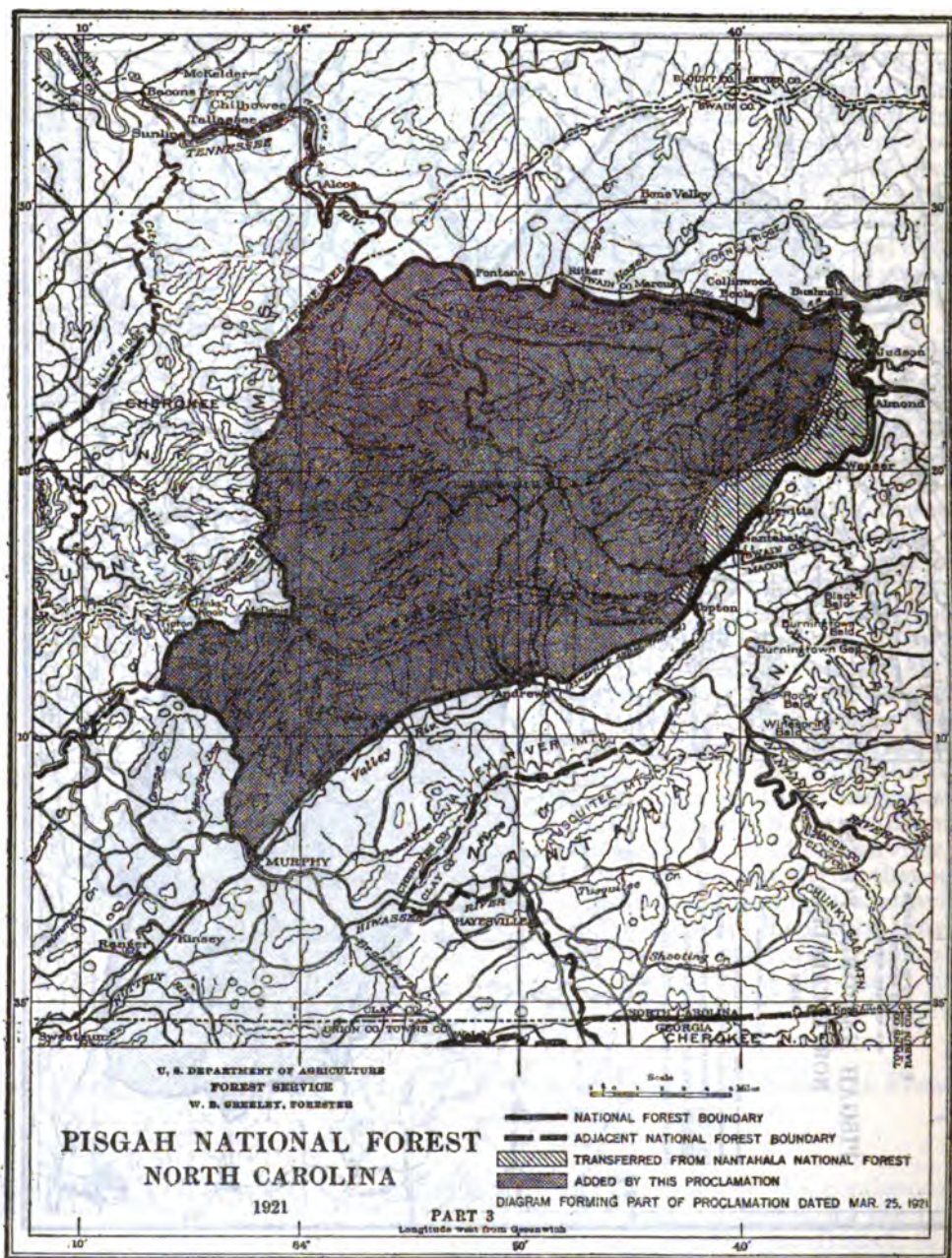
Description of Diagram, Part 3.

**BEGINNING** at Bushnell, North Carolina, at the confluence of Tuckaseegee River and Little Tennessee River; thence up the Little Tennessee River to Almond; thence with the Murphy Branch of the Southern Railroad to Murphy; thence with the public road from Murphy to Grandview, crossing Bates Creek, Owl Creek and Hanging Dog Creek; thence with the road from Grandview to Beaverdam Creek; thence with the road up Beaverdam Creek to the gap between Jenks Knob and Tipton Knob; thence easterly following the divide over Tipton Knob and Rocky Knob to a point on McDaniel Bald in the Ckerokee-Graham County line; thence along the county line to the









PROCLAMATIONS, 1921.

5

Tennessee-North Carolina State line; thence along the State line to the Little Tennessee River; thence up the Little Tennessee River to the place of BEGINNING.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 26, 1921.

A PROCLAMATION.

WHEREAS John Barton Payne has tendered his resignation as Director General of Railroads; and

Transportation Act,  
1920.  
Preamble.  
Vol. 41, p. 1793.

WHEREAS such resignation has been accepted effective upon the qualification of his successor.

NOW, THEREFORE, I, WARREN G. HARDING, President of the United States, under and by virtue of the power and authority so vested in me under the Transportation Act of 1920, the unrepealed provisions of the Federal Control Act of March 21, 1918, and the "Act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes", approved August 29, 1916, and of all other powers me hereto enabling, do hereby appoint, effective at noon on the 28th day of March, 1921, James C. Davis, of Iowa, Director General of Railroads in the stead of the said John Barton Payne, and do hereby delegate to and continue and confirm in him all powers and authority heretofore granted to and now possessed by the said John Barton Payne as Director General of Railroads; and do hereby authorize and direct the said James C. Davis, or his successor in office, until otherwise provided by Proclamation of the President or by Act of Congress, either personally or through such divisions, agencies, or persons as he may authorize, to exercise and perform, as fully in all respects as the President is authorized to do, all and singular the powers and duties conferred or imposed upon me by the said unrepealed provisions of the Federal Control Act of March 21, 1918, and the said Transportation Act of February 28, 1920, except the designation of the Agent under Section 206 thereof.

Appointing James C.  
Davis, Director Gen-  
eral of Railroads.  
Authority conferred.  
Vol. 41, p. 469.  
Vol. 40, p. 451.  
Vol. 39, p. 645.

Vol. 41, p. 461.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE by the President in the District of Columbia this 26th day of March, in the year of our Lord, Nineteen Hundred and [SEAL.] Twenty-one and of the Independence of the United States the One Hundred and Forty-fifth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 26, 1921.

A PROCLAMATION

WHEREAS by Proclamation dated May 14, 1920, John Barton Payne, Director General of Railroads, was designated as the Agent provided for in Section 206 of the Transportation Act, 1920; and

Transportation Act,  
1920.  
Preamble.  
Vol. 41, p. 1794.

WHEREAS the said John Barton Payne, Director General of Railroads, as aforesaid has tendered his resignation as said Agent,

## PROCLAMATIONS, 1921.

which has been duly accepted, effective upon the qualification of his successor:

Designating James C. Davis as agent in actions arising out of Federal control. Vol. 41, p. 461.

NOW, THEREFORE, I, WARREN G. HARDING, President of the United States, under and by virtue of the power and authority vested in me by said Act, and of all other powers me hereto enabling, do hereby designate and appoint, effective at noon on the 28th day of March, 1921, James C. Davis, Director General of Railroads, and his successor in office, as the Agent provided for in Section 206 of said Act, approved February 28, 1920.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE by the President in the District of Columbia this 26th day of March, in the year of our Lord Nineteen Hundred and [SEAL.] Twenty-one, and of the Independence of the United States the One Hundred and Forty-fifth.

WARREN G HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

April 7, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION.

Forest Protection Week, 1921. Preamble.

WHEREAS, the destruction by forest fires in the United States involves an annual loss of approximately \$20,000,000 and the devastation of approximately 12,500,000 acres of timberland and other natural resources, and

WHEREAS, the present deplorably large area of non-productive land is being greatly increased by 33,000 or more forest fires which occur each year, and

WHEREAS, the menace of a future timber shortage threatens to become a present economic fact seriously affecting our social and industrial welfare, and

WHEREAS, a large percentage of the forest fires causing the annual waste of natural resources may be prevented by increasing care and vigilance on the part of citizens:

Designating week of May 22-28, 1921, as Forest Protection Week.

THEREFORE, I, WARREN G. HARDING, President of the United States, do urge upon the Governors of the various States to designate and set apart the week of May 22-28, 1921, as Forest Protection Week, and to request all citizens of their States to plan for that week such educational and instructive exercises as shall bring before the people the serious and unhappy effects of the present unnecessary waste by forest fires, and the need of their individual and collective efforts in conserving the natural resources of America.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE in the District of Columbia, this 7th day of April, in the year of our Lord One Thousand Nine Hundred and [SEAL.] Twenty-one and of the Independence of the United States of America the One Hundred and Forty-fifth.

WARREN G HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

## PROCLAMATIONS, 1921.

7

BY THE PRESIDENT OF THE UNITED STATES

May 3, 1921.

### A PROCLAMATION

WHEREAS this nation has been conceived in prayer and devotion by men and women who were moved under God to found a nation where principles of right should form the lasting cornerstone; And whereas these principles purchased at the price of great sacrifice have been fostered by a worthy posterity; And whereas a great war has lately laid its costly demands upon our land:

Memorial Day.  
Preamble.

Now, therefore, I, Warren G. Harding, President of the United States of America, do hereby proclaim Monday, the thirtieth day of May, a day already freighted with sacred and stimulating memories, a day of public memorial. I invite my fellow citizens fittingly to pay homage on this day to a noble dead who sleep in homeland, beneath the sea or on foreign field that we who survive might enjoy the blessings of peace and happiness, and to the end that liberty and justice, without which no nation can exist, shall live forever.

Monday, May 30,  
1921, proclaimed a day  
of public memorial.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this third day of May, in the year of our Lord Nineteen hundred and twenty-one and of [SEAL.] the independence of the United States the one hundred and forty-fifth.

WARREN G. HARDING

By the President,  
CHARLES E. HUGHES  
*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

May 6, 1921.

### A PROCLAMATION.

WHEREAS, satisfactory proof has been given to me by the Government of the Republic of Poland that no discriminating duties of tonnage or imposts are levied or imposed in the waters of Poland or the Free City of Danzig upon vessels wholly belonging to citizens of the United States or upon the produce, manufactures, or merchandise imported in such vessels from the United States, or from any foreign country:

Tonnage duties.  
Preamble.

Now, therefore, I, Warren G. Harding, President of the United States of America, by virtue of the authority vested in me by Section four thousand, two hundred and twenty-eight of the Revised Statutes of the United States, do hereby declare and proclaim that the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued so far as respects the vessels of Poland and the vessels of the Free City of Danzig, and the produce, manufactures, or merchandise imported in said vessels into the United States from Poland or the Free City of Danzig, or from any other foreign country; the suspension to take effect on and after the date of this Proclamation and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, shall be continued, and no longer.

Suspension of dis-  
criminating duties on  
vessels of Poland and  
Danzig.  
R. S., sec. 4228, p. 814.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this 6th day of May, in the year of our Lord one thousand, nine hundred and twenty-one, [SEAL.] and of the Independence of the United States the one hundred and forty-fifth.

WARREN G. HARDING

By the President:  
CHARLES E. HUGHES  
*Secretary of State.*

May 17, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION.

Protection of migra-  
tory birds.  
Preamble.  
Vol. 40, p. 755.  
Vol. 39, p. 1702.

WHEREAS, The Secretary of Agriculture, by virtue of the authority vested in him by Section three of the Migratory Bird Treaty Act (40 Stat., 755), has submitted to me for approval, regulations further amendatory of the regulations approved and proclaimed July 31, 1918, which the Secretary of Agriculture has determined to be suitable amendatory regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage and export of said birds and parts thereof and their nests and eggs, which said amendments are as follows:

Vol. 41, pp. 1764,  
1817, amended.

Regulation 3, as amended by Proclamation dated July 28, 1919, (41 Stat., 1st Session, Pt. 2, p. 24) and Proclamation dated March 3, 1921, is hereby further amended so as to read as follows:

Means for taking  
birds.

Regulation 3.—Means by which migratory game birds may be taken.

Restrictions mod-  
ified.

The migratory game birds specified in Regulation 4 hereof may be taken during the open season with a gun only, not larger than No. 10 gauge, fired from the shoulder, except as specifically permitted by Regulations 7, 8, 9, and 10 hereof; they may be taken during the open season from the land and water, with the aid of a dog, the use of decoys, and from a blind or floating device (other than an airplane, powerboat, sailboat, any boat under sail, or any floating device towed by a powerboat or sailboat).

Open seasons.  
Vol. 40, p. 1814,  
amended.

Regulation 4, subtitle "Waterfowl (except wood duck, eider ducks, and swans), coot, gallinules, and Wilson snipe or jacksnipe", is hereby amended so as to read as follows:

Waterfowl, etc.

Regulation 4.—Open seasons on and possession of certain migratory game birds.

*Waterfowl, (except wood duck, eider ducks, and swans) coot, gallinules, and Wilson snipe or jacksnipe.*—The open seasons for waterfowl (except wood duck, eider ducks, and swans), coot, gallinules, and Wilson snipe or jacksnipe shall be as follows:

Geographical limita-  
tions.

In Maine, New Hampshire, Vermont, Massachusetts, New York (except Long Island), Pennsylvania, Ohio, West Virginia, Kentucky, Indiana, Michigan, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Colorado, Wyoming, Montana, Idaho, Nevada, and that portion of Oregon and Washington lying east of the summit of the Cascade Mountains the open season shall be from September 16 to December 31;

In Rhode Island, Connecticut, Utah, California, and that portion of Oregon and Washington lying west of the summit of the Cascade Mountains the open season shall be from October 1 to January 15;

In that portion of New York known as Long Island, and in New Jersey, Delaware, Oklahoma, Texas, New Mexico, and Arizona the open season shall be from October 16 to January 31;

In Maryland, the District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Arkansas, and Louisiana the open season shall be from November 1 to January 31; and

In Alaska the open season shall be from September 1 to December 15.

Approval of regula-  
tions.

NOW THEREFORE, I, WARREN G. HARDING, PRESIDENT OF THE UNITED STATES OF AMERICA, DO HEREBY APPROVE AND PROCLAIM the foregoing amendatory regulations.



PROCLAMATIONS, 1921.

9

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE in the District of Columbia, this 17th day of May, in the year of our Lord One Thousand Nine Hundred and [SEAL.] Twenty-one and of the Independence of the United States of America the One Hundred and Forty-Fifth.

WARREN G HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 19, 1921.

A PROCLAMATION.

WHEREAS, the President of the United States, under an Act of Congress approved March 2, 1917, entitled, "An Act To provide a civil government for Porto Rico, and for other purposes," is authorized to convey to the people of Porto Rico from time to time, in his discretion, such lands, buildings, or interests in lands or other property now owned by the United States and within the territorial limits of Porto Rico as in his opinion are no longer needed for purposes of the United States; and

Porto Rico.  
Preamble.  
Vol. 32, p. 954.

WHEREAS, certain lands in Porto Rico heretofore set aside for military purposes by Executive Order of June 30, 1903, are no longer needed for the purposes of the United States; and

WHEREAS, such lands are desired by the Government of Porto Rico to be used for school purposes and may be advantageously used for such purposes by the people of Porto Rico;

NOW, THEREFORE, I, WARREN G. HARDING, President of the United States, by virtue of the authority in me vested, do hereby proclaim and make known that the following described lands, known as Aguadilla Barracks and Fort, are hereby transferred and conveyed to The People of Porto Rico:

Lands in Aguadilla transferred to Porto Rico for school purposes.

All that piece or parcel of land in the northerly part of the town of Aguadilla, Porto Rico, where the fort and barracks now stand, bounded and described as follows:

Beginning at a point in the westerly side of Fort Street at the northeasterly corner of the wooden building just south of said barracks, said point being S. 60° 50' E. 59.0 feet from the southeasterly corner of said barracks building, and running thence along the westerly side of Fort Street N. 14° 22' W. 305.0 feet; thence S. 67° 30' W. 300 feet to the sea; thence along the sea S. 32° 40' E. 328.8 feet; thence N. 61° 16' E. 200 feet to the point or place of beginning; together with the land under water in front of said parcel of land to deep water.

Description.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE in the District of Columbia this 19th day of May, in the year of our Lord, nineteen hundred and twenty-one, and [SEAL.] of the independence of the United States of America the one hundred and forty-fifth.

WARREN G HARDING.

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

May 25, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Toiyabe National  
Forest, Nev.  
Preamble.

WHEREAS, Executive Orders signed May fourth, nineteen hundred and fourteen, April sixth, nineteen hundred and fifteen, and May tenth, nineteen hundred and sixteen, modified the boundaries of the Toiyabe National Forest, in the State of Nevada, by excluding certain lands therefrom, and by adding certain lands thereto; and

Vol. 41, p. 424.

WHEREAS, it appears that the public good will be promoted by excluding certain lands from such National Forest, and restoring the public lands subject to disposition in the excluded areas in the manner authorized by Public Resolution Number Twenty-nine approved February fourteenth, nineteen hundred and twenty.

Area diminished.  
Vol. 30, p. 26.

Now, therefore, I, WARREN G. HARDING, President of the United States of America, by virtue of the power in me vested by the Act of Congress approved June fourth, eighteen hundred and ninety-seven (30 Stat., 11 at 34 and 36), entitled "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight and for other purposes," do proclaim that the boundaries of the Toiyabe National Forest are hereby changed to exclude the areas indicated as eliminations on the diagram hereto annexed and forming a part hereof.

Excluded lands  
opened to settlement  
by ex-service men of  
World War for 63 days.

And I do further proclaim and make known that pursuant to the aforesaid Public Resolution of February fourteenth, nineteen hundred and twenty, it is hereby ordered that the public lands in the excluded areas, subject to valid rights and the provisions of existing withdrawals or reservations, shall be opened only to homestead and desert land entry by qualified ex-service men of the War with Germany, under the terms and conditions of said resolution and the regulations issued thereunder, for a period of sixty-three days beginning with the sixty-third day from and after the date hereof.

Unentered lands  
opened to settlement  
thereafter.  
Vol. 38, p. 113.

And I do also hereby direct and provide, under the authority reposed in me by the Act of September thirtieth, nineteen hundred and thirteen (38 Stat., 113), that for a period of seven days following the expiration of such sixty-three day preference period, any of said lands remaining unentered shall be opened to homestead entry only by any qualified entryman; and thereafter to appropriation under any public land law applicable thereto.

Filing applications,  
etc.

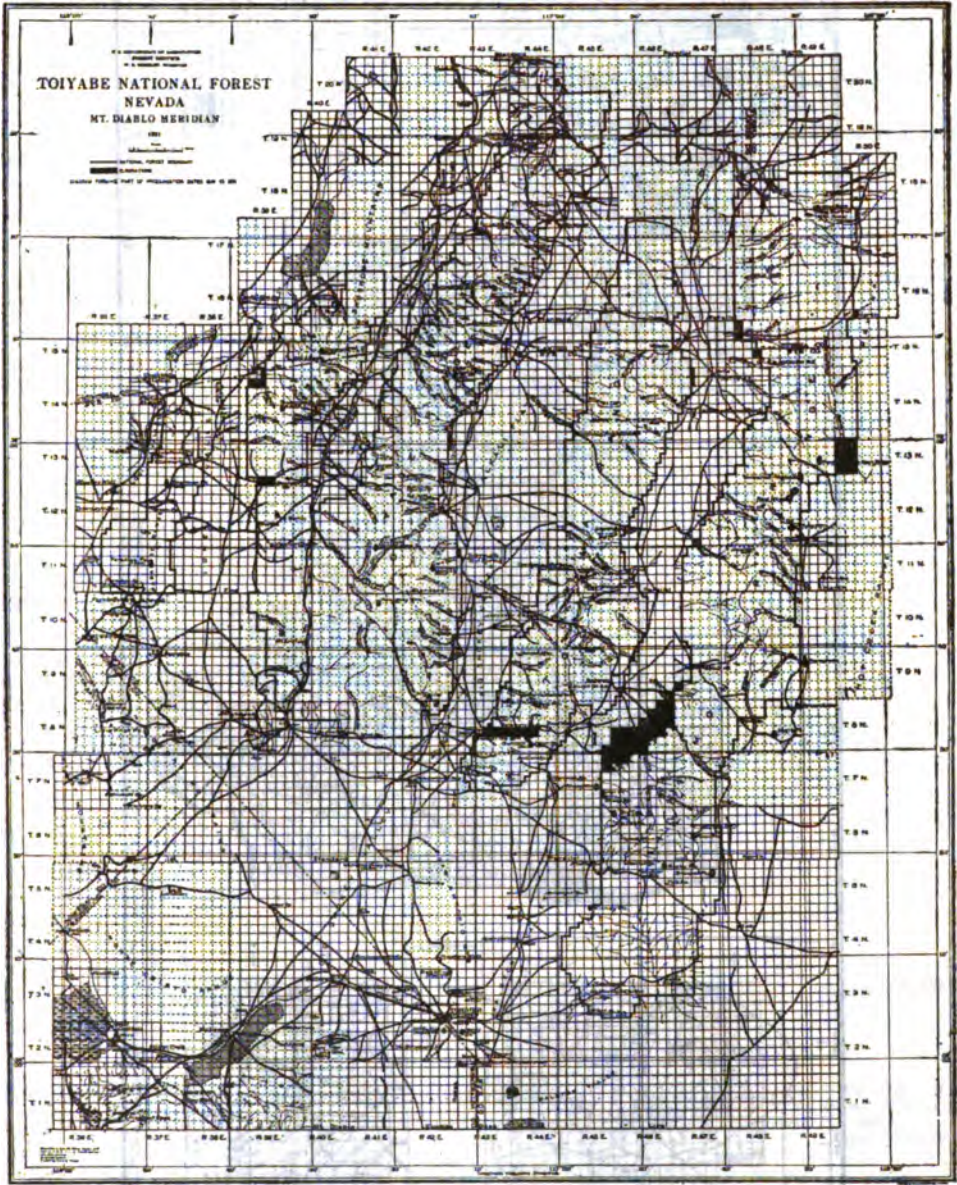
Prospective applicants may, during the period of twenty days preceding the date on which the lands shall become subject to entry, selection or location of the form desired under the provisions of this proclamation, execute their applications in the manner provided by law and present the same, accompanied by the required payments, to the proper United States land office in person, by mail, or otherwise, and all applications so filed, together with such as may be submitted at the hour fixed, shall be treated as though simultaneously filed and shall be disposed of in the manner prescribed by existing regulations. Under such regulations conflicts of equal rights will be determined by a drawing.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this twenty-fifth day of May in the year of our Lord nineteen hundred and twenty-one,  
[SEAL.] and of the independence of the United States the one hundred and forty-fifth.

WARREN G. HARDING

By the President:  
CHARLES E. HUGHES  
Secretary of State.







BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 9, 1921.

A PROCLAMATION

WHEREAS, it appears that certain of the lands, within the State of Idaho, described in the Act of Congress approved March one, nineteen hundred and twenty-one (41 Stat., 1196), which have been found under the terms of said act to be chiefly valuable for the production of timber or for the protection of stream flow, should be added to the Nezperce National Forest;

Nezperce National Forest, Idaho. Preamble. Vol. 41, p. 1196.

NOW, THEREFORE, I, WARREN G. HARDING, President of the United States of America, by virtue of the power in me vested by the aforesaid Act of March one, nineteen hundred and twenty-one, entitled "An Act To authorize the addition of certain lands to the Nezperce National Forest, Idaho", do proclaim that the boundaries of the Nezperce National Forest are hereby changed to include the following described lands:

Area enlarged.

Vol. 41, p. 1196.

Boise Meridian

Description.

In unsurveyed T. 26 N., R. 6 E., Secs. 1 to 18, inclusive;

In unsurveyed T. 27 N., R. 6 E., Secs. 19 to 36, inclusive;

In unsurveyed T. 26 N., R. 7 E., Secs. 4 to 9, inclusive, Secs. 16, 17, 18;

In unsurveyed T. 27 N., R. 7 E., Secs. 19, 20, 21, 28 to 33, inclusive.

The withdrawal made by this proclamation shall, as to all lands which are at this date legally appropriated under the public land laws, or reserved for any public purposes, be subject to, and shall not interfere with or defeat legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained, or such reservation remains in force.

Prior rights not affected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this Ninth day of July, in the year of our Lord one thousand nine hundred and twenty-one, [SEAL.] and of the Independence of the United States the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 9, 1921.

A PROCLAMATION

WHEREAS it appears that the public good will be promoted by adding to the Wasatch National Forest certain lands within the State of Utah,

Wasatch National Forest, Utah. Preamble. Area enlarged.

Now, therefore, I, WARREN G. HARDING, President of the United States of America, by virtue of the power in me vested by the Act of Congress approved March third, eighteen hundred and ninety-one (26 Stat. 1095), entitled, "An Act To repeal timber-culture laws, and for other purposes," and also by the Act of Congress approved June fourth, eighteen hundred and ninety-seven (30 Stat., 11 at 34 and 36), entitled, "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," do

Vol. 26, p. 1095.

Vol. 30, p. 36.

proclaim that the boundaries of the Wasatch National Forest are hereby changed to include the areas indicated as additions upon the diagram hereto annexed and forming a part hereof.

Legal rights, etc.,  
not interfered with.

The withdrawal made by this proclamation shall, as to all lands which are at this date legally appropriated under the public land laws, or embraced in a proper application to enter under the provisions of the Stock Raising Homestead Law, or reserved for any public purpose, be subject to, and shall not interfere with or defeat legal rights under such appropriation, nor prevent the designation of the lands embraced in such application and allowance thereof, nor the use for such public purpose of lands so reserved, so long as such claims are legally maintained, or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 9th day of July in the year of our Lord one thousand nine hundred and twenty-one,  
[SEAL.] and of the Independence of the United States the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

July 18, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

Lassen National  
Forest, Calif.  
Preamble.

WHEREAS, it appears that the public good will be promoted by transferring to the Lassen National Forest, California, certain lands now embraced within the Plumas National Forest, in the same State:

Area enlarged.  
Vol. 30, p. 33.

Now, therefore, I, Warren G. Harding, President of the United States of America, by virtue of the power in me vested by the Act of Congress approved June fourth, eighteen hundred and ninety-seven (30 Stat., 11, at 34 and 36), entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", do proclaim that the boundaries of the Lassen National Forest are hereby changed and are now as shown upon the diagram hereto annexed and forming a part hereof; and that this proclamation and that changing the boundaries of the Plumas National Forest, which I have also signed this same day, are made and are intended to be, and shall be considered as, one act to become effective simultaneously.

Post, p. 13.

Area affected.

It is not intended by this proclamation to release any land from reservation nor to reserve any land not heretofore embraced in a National Forest.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

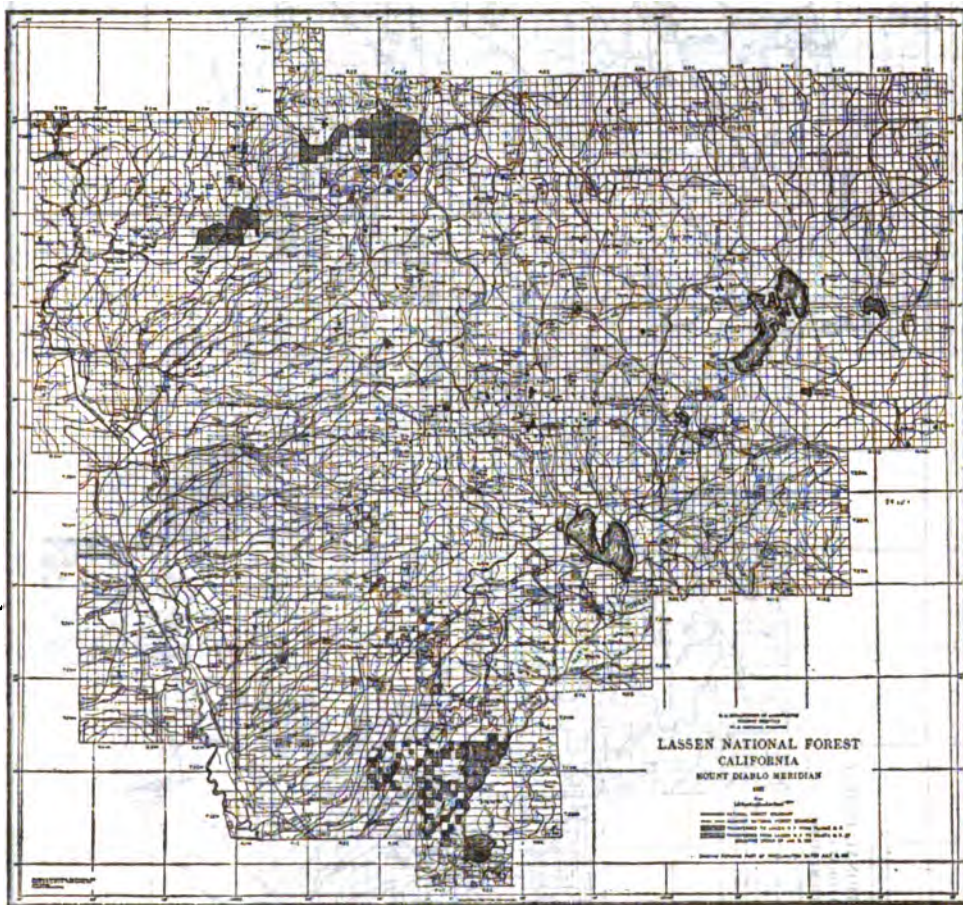
DONE in the District of Columbia this 18th day of July, in the year of our Lord one thousand nine hundred and  
[SEAL.] twenty-one and of the Independence of the United States the one hundred forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*





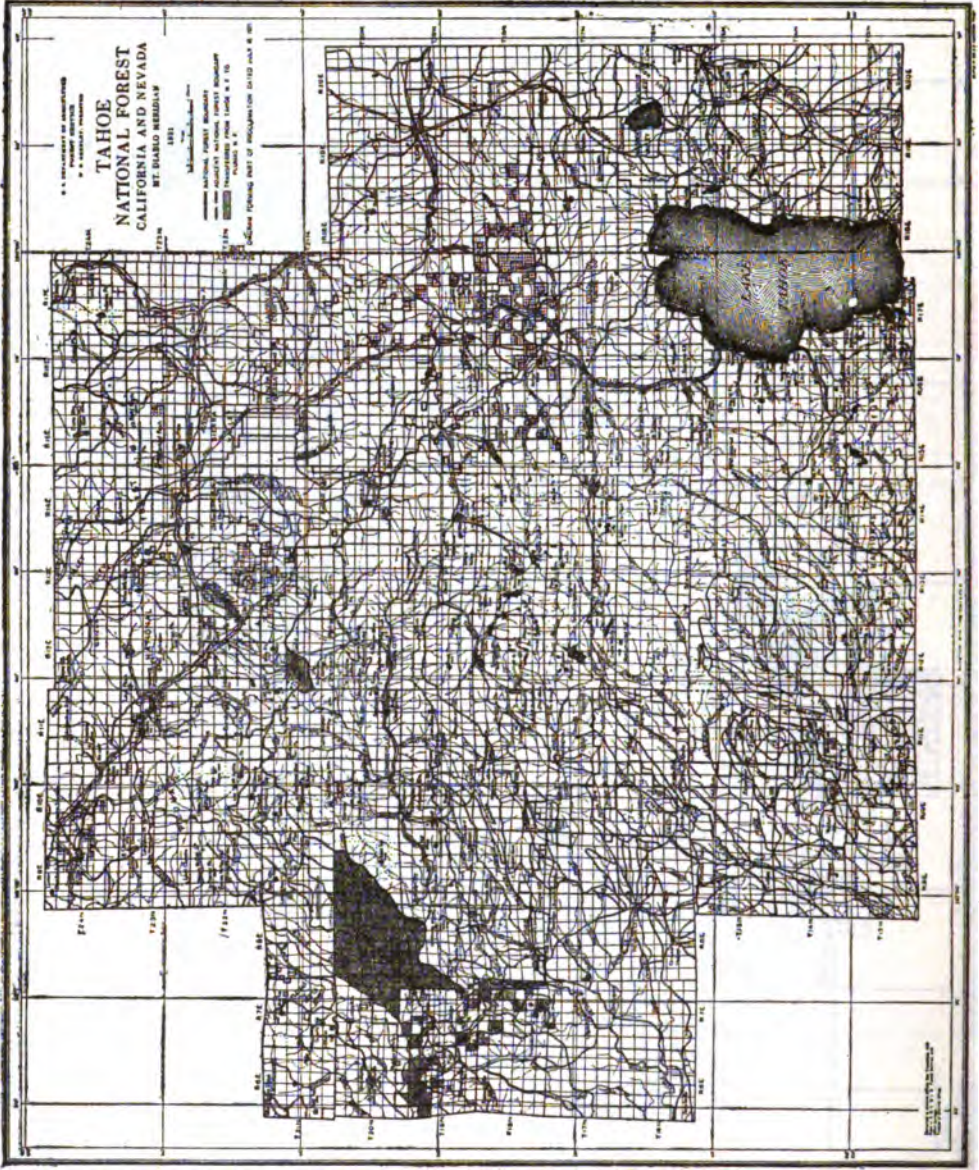
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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 18, 1921.

A PROCLAMATION

WHEREAS, it appears that the public good will be promoted by transferring to the Plumas National Forest, California, certain lands now embraced within the Tahoe National Forest, in the same State, and by transferring to the Lassen National Forest, California, certain other lands now embraced within the Plumas National Forest:

Plumas National Forest, Calif. Preamble.

Now, therefore, I, Warren G. Harding, President of the United States of America, by virtue of the power in me vested by the Act of Congress approved June fourth, eighteen hundred and ninety-seven (30 Stat., 11, at 34 and 36), entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", do proclaim that the boundaries of the Plumas National Forest are hereby changed and are now as shown upon the diagram hereto annexed and forming a part hereof; and that this proclamation and those changing the boundaries of the Lassen and Tahoe National Forests, which I have also signed this same day, are made and are intended to be, and shall be considered as, one act to become effective simultaneously.

Area modified.

Vol. 30, p. 36.

Idem, p. 12. Infra.

It is not intended by this proclamation to release any land from reservation nor to reserve any land not heretofore embraced in a National Forest.

Area affected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE in the District of Columbia this 18th day of July, in the year of our Lord one thousand nine hundred and twenty-one and of the Independence of the United States the one hundred and forty-sixth.

By the President:

CHARLES E. HUGHES  
Secretary of State.

WARREN G. HARDING

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 18, 1921.

A PROCLAMATION

WHEREAS, it appears that the public good will be promoted by transferring to the Plumas National Forest, California, certain lands now embraced within the Tahoe National Forest, in the same State:

Tahoe National Forest, Calif. Preamble.

Now, therefore, I, Warren G. Harding, President of the United States of America, by virtue of the power in me vested by the Act of Congress approved June fourth, eighteen hundred and ninety-seven (30 Stat., 11, at 34 and 36), entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", do proclaim that the boundaries of the Tahoe National Forest are hereby changed and are now as shown upon the diagram hereto annexed and forming a part hereof; and that this proclamation and that changing the boundaries of the Plumas National Forest, which I have also signed this day, are made and are intended to be, and shall be considered as, one act to become effective simultaneously.

Area diminished. Vol. 30, p. 36.

Supra.

It is not intended by this proclamation to release any land from reservation nor to reserve any land not heretofore embraced in a National Forest.

Area affected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.



## PROCLAMATIONS, 1921.

DONE in the District of Columbia this 18th day of July, in the year of our Lord one thousand nine hundred and twenty-one  
 [SEAL.] and of the Independence of the United States the one hundred and forty-sixth.

WARREN G HARDING

By the President:  
 CHARLES E. HUGHES  
*Secretary of State.*

August 11, 1921.

BY THE PRESIDENT OF THE UNITED STATES.

## A PROCLAMATION

Crow Indian Reservation, Mont.  
 Preamble.  
 Vol. 32, p. 352.

WHEREAS the Act of Congress directing the disposal of lands within a specified part of the Crow Indian Reservation, in the State of Montana, approved April 27, 1904 (33 Stat., 352), among other things, provides:

That when, in the judgment of the President, no more of the land herein ceded can be disposed of at said price, he may by proclamation, to be repeated at his discretion, sell from time to time the remaining land subject to the provisions of the homestead law or otherwise as he may deem most advantageous, at such price or prices, in such manner, upon such conditions, with such restrictions, and upon such terms as he may deem best for all the interests concerned;

Vol. 22, p. 2029; Vol. 40, p. 1653.

AND WHEREAS certain lands in the Reservation were sold and entered in the manner provided for by Proclamations of September 28, 1914 (38 Stat., 2029), and April 6, 1917 (40 Stat., 1653), which Proclamations fixed the terms under which the lands might be paid for;

AND WHEREAS because of droughts and adverse weather conditions an extension of time for payments until the 1921 anniversaries of the dates of the purchases and entries was allowed on certain conditions to certain purchasers and entrymen by Proclamation dated May 5, 1920 (41 Stat., 1793);

Vol. 41, p. 1793.

AND WHEREAS it appears that there has been no substantial amelioration in the conditions and that many purchasers and entrymen of lands on the Reservation are or will be unable to make payment in the manner required by the aforesaid Proclamations;

Further extensions allowed to pay installments for ceded lands.

NOW, THEREFORE, I, Warren G. Harding, President of the United States of America, by virtue of the authority conferred in me by the said Act of April 27, 1904, do hereby order and direct that an extension of time for payment until the 1922 anniversaries of the dates of the purchases and entries be allowed to all purchasers and entrymen of lands on the Reservation purchased or entered under the said Proclamation of September 28, 1914, or under the said Proclamation of April 6, 1917, upon the payment to the receiver of the district land office of interest at the rate of five per centum per annum on the amounts extended, from the maturities thereof to the expiration of the periods of the extensions. The district land office will promptly notify all purchasers and entrymen entitled to the extension of the manner in which it may be obtained. Those whose payments are in default at the time of the receipt of the notice will be required to make payment of interest on the amounts in default within sixty days from such receipt. Those whose payments are not in default at the time of the receipt of the notice will be allowed sixty days from the maturities of the unpaid amounts within which to make payment of the interest. If the interest is not paid within the time stated, or if, within such time, the amounts in arrears are not paid in full, without interest, the purchases or entries for which

Vol. 22, p. 2029; Vol. 40, p. 1653.

Conditions.

the amounts are due will be reported by the district land office to the General Land Office for cancellation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 11th day of August, in the year of our Lord Nineteen Hundred and twenty-one and [SEAL] of the Independence of the United States, the One Hundred and Forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES

*Secretary of State.*

# A PROCLAMATION

August 30, 1921.

BY THE PRESIDENT OF THE UNITED STATES.

WHEREAS, the Governor of the State of West Virginia has represented that domestic violence exists in said State which the authorities of said State are unable to suppress; and

Domestic violence in West Virginia. Preamble.

WHEREAS, it is provided in the Constitution of the United States that the United States shall protect each State in this Union, on application of the legislature, or of the executive when the legislature cannot be convened, against domestic violence; and

WHEREAS, by the law of the United States in pursuance of the above it is provided that in all cases of insurrection in any State or of obstruction to the laws thereof it shall be lawful for the President of the United States on application of the legislature of such State or of the executive when the legislature cannot be convened to call forth the militia of any other State or States or to employ such part of the land and naval forces of the United States as shall be judged necessary for the purpose of suppressing such insurrection and causing the laws to be duly executed; and

WHEREAS, the legislature of the State of West Virginia is not now in session and cannot be convened in time to meet the present emergency, and the Executive of said State under Section 4 of Article IV of the Constitution of the United States and the laws passed in pursuance thereof, has made due application to me in the premises for such part of the military forces of the United States as may be necessary and adequate to protect the State of West Virginia and the citizens thereof against domestic violence and to enforce the due execution of the laws; and

WHEREAS, it is required that whenever it may be necessary, in the judgment of the President, to use the military forces of the United States for the purposes aforesaid he shall forthwith by proclamation command such insurgents to disperse and retire peaceably to their respective homes within a limited time;

NOW, THEREFORE, I, WARREN G. HARDING, President of the United States, do hereby make proclamation and I do hereby command all persons engaged in said unlawful and insurrectionary proceedings to disperse and retire peaceably to their respective abodes on or before 12 o'clock noon of the 1st day of September, 1921, and hereafter abandon said combinations and submit themselves to the laws and constituted authorities of said State;

Commanding persons engaged in insurrectionary proceedings to disperse.

And I invoke the aid and cooperation of all good citizens thereof to uphold the laws and preserve the public peace.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this 30 day of August, in the year of our Lord one thousand nine hundred and twenty-one, [SEAL.] and of the Independence of the United States the one hundred and forty-sixth.

WARREN G HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

September 1, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

# A PROCLAMATION.

War Risk Insurance.  
Preamble.  
Vol. 40, p. 898.

WHEREAS, by an Act of Congress entitled, "An Act to Amend the War Risk Insurance Act," approved by the President on the eleventh of July, one thousand nine hundred and eighteen, it is provided that the Division of Marine and Seamen's Insurance of the War Risk Insurance Bureau shall suspend within six months after the end of the war, but that for the purpose of the final adjustment of outstanding insurance or claims said division may, in the discretion of the President, be continued in existence for a period not exceeding three years after such suspension, and

Vol. 41, p. 1369.

WHEREAS, by a Joint Resolution of the Congress of the United States, approved by the President on the third of March, one thousand nine hundred and twenty-one, it is provided that in the interpretation of any provision relating to the duration or date of the termination of the late war between the Imperial German Government and the Imperial and Royal Austro-Hungarian Government and the Government and people of the the United States, in any Acts of Congress contingent upon the date of the termination of such war, the date when such resolution becomes effective should be construed and treated as the date of the termination of the war, and

WHEREAS, it is necessary to continue the existence of said Division of Marine and Seamen's Insurance for the purpose of final adjustment of outstanding insurance or claims, and

Public Laws, p. 148.

WHEREAS, by the Act of Congress entitled, "An Act to Establish a Veterans' Bureau" and for other purposes, approved by the President on the ninth of August, one thousand nine hundred and twenty-one, the powers, duties and personnel of the War Risk Insurance Bureau were transferred to the Veterans' Bureau, and

Public Laws, p. 202.

WHEREAS, by a Joint Resolution of the Congress of the United States, approved by the President on the twenty-fourth of August, one thousand nine hundred and twenty-one, the name of the Veterans' Bureau was changed to the United States Veterans' Bureau,

Marine and Seamen's  
Division, Veterans'  
Bureau continued un-  
til December 31, 1921.

NOW, THEREFORE, I, Warren G. Harding, President of the United States of America, by authority of the powers conferred upon me by said Acts and Resolutions of Congress, do hereby declare and proclaim that the Division of Marine and Seamen's Insurance of the United States Veterans' Bureau shall continue in existence for the purpose of making final adjustment of outstanding insurance or claims until the thirty-first of December, one thousand nine hundred and twenty-one.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this first day of September in the year of our Lord one thousand nine hundred and twenty-one and of the Independence of the United States the one hundred and forty-sixth.

WARREN G HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 22, 1921.

A PROCLAMATION

WHEREAS, William Kent and his wife, Elizabeth Thatcher Kent, of the County of Marin in the State of California, did on February 14, 1920, pursuant to the Act of Congress entitled, "An Act for the Preservation of American Antiquities," approved June 8, 1906, by their certain deed of relinquishment and conveyance, properly executed in writing and acknowledged, relinquish, remise, convey and forever quit claim to the United States of America the following mentioned lands at that time held in private ownership and situate in the county of Marin, in the State of California, and particularly described as follows, to-wit:

Muir Woods National Monument, Calif.

Preamble.  
Vol. 34, p. 225.  
Vol. 35, p. 2174.

Lands added to.

Beginning at a two-inch iron pipe marked "Monument 5" on the westerly boundary line of the Muir Woods National Monument, running thence northerly along said westerly boundary line, North twenty degrees twenty-six minutes West one thousand sixty-four and seven tenths feet to a two-inch iron pipe marked "Monument 6" at the northwesterly corner of the Muir Woods National Monument, thence along the boundary common to the land of William Kent and of the Mt. Tamalpais and Muir Woods Railway, South eighty-three degrees forty-two minutes West three hundred and ten feet to the northerly corner of the Hamilton Tract which was conveyed to William Kent by a deed dated April 1st, 1916, and recorded in the office of the County Recorder of Marin County in Book 177 of Deeds, at page 495; thence along the easterly boundary of said Hamilton Tract, South nineteen degrees forty-six minutes East one thousand forty-six and two tenths feet to the easterly corner of said Hamilton Tract; thence leaving the boundary of said tract, North eighty-six degrees twenty minutes East three hundred twenty-six and seven tenths feet to the point of beginning, containing seven and forty-four hundredths acres more or less, all bearings refer to true meridian, magnetic declination approximately eighteen degrees East.

Description of conveyance by William Kent and wife.

The entire Hamilton Tract, conveyed to William Kent by a deed dated April 1st, 1916, and recorded in the office of the County Recorder of Marin County in Book 177 of Deeds, at page 495, and particularly described as follows, to wit:

Hamilton Tract, from William Kent.

Commencing at the most northerly point of Ranch "X" as laid down and delineated on the map entitled, "Tamalpais Land and Water Company Map No. 3," running thence along the northwesterly boundary of said Ranch "X," South fifty-one degrees fifty-two minutes West four hundred forty-nine and fifty-three hundredths feet; thence South fifty-two degrees thirty-four minutes West eight hundred seventy-seven and ninety-four hundredths feet to the most northerly corner of Ranch "W"; thence along the northerly boundary of said Ranch "W," South forty-nine degrees thirty-four minutes West two hundred ninety-nine and ten hundredths feet; thence North seventy degrees forty-two minutes West two hundred feet to the northeasterly corner of Ranch "Y"; thence along the northeasterly boundary of said Ranch "Y," North fifty-two degrees twenty-six minutes West four hundred ninety-nine and thirty-nine hundredths feet; thence South seventy-three degrees seventeen minutes West two hundred thirty-nine and seventy-three hundredths feet; thence North eighty-five degrees thirty-five minutes West three hundred nineteen and eighty-four hundredths feet; thence North sixty-five degrees thirty-seven minutes West five hundred thirty-nine and fifty-two hundredths feet; thence North forty-two degrees twenty-eight minutes West three hundred seventy-eight and five hundredths feet; thence leaving the northeasterly boundary of Ranch "Y,"

North sixty-eight degrees forty-eight minutes East two thousand four hundred forty-two and thirteen hundredths feet; thence North sixty-two degrees six minutes East five hundred ninety-six and fifty-nine hundredths feet; thence South nineteen degrees forty-six minutes East one thousand forty-six and twenty-two hundredths feet to the point of commencement, containing seventy and forty-six hundredths acres, said parcel being as laid down and delineated on the map entitled, "Tamalpais Land and Water Company Map No. 3," which map is on file in the office of the County Recorder of said County of Marin in Map Book 1, page 104, to which map reference is hereby made for further or more particular description, and

By Mt. Tamalpais  
and Muir Woods Rail-  
way.  
Vol. 34, p. 226.

Whereas, the Mt. Tamalpais and Muir Woods Railway, a corporation duly organized and existing under the laws of California, did, on February 24th, 1921, pursuant to the Act of Congress entitled, "An Act for the Preservation of American Antiquities," approved June 8, 1906, by its certain deed of relinquishment and conveyance, properly executed in writing and acknowledged, relinquish, remise, convey and forever quit claim to the United States of America the following mentioned land at that time held by it in private ownership and situate in the County of Marin, in the State of California, and particularly described as follows, to wit:

Beginning at a fence corner at corner common to land of the North Coast Water Co., land of the Mt. Tamalpais and Muir Woods Railway Co., and Ranch "8," and Ranch "Y" of land of William Kent; running thence North fifty-nine degrees fifty-seven minutes East three thousand six hundred twenty-six and nine tenths feet, along line between land of North Coast Water Co. and land of the Mt. Tamalpais and Muir Woods Railway Co. to an iron pipe driven in the ground; an iron pipe being set at two thousand nine hundred eighty-three and one tenth feet on this line; thence South eighty-nine degrees thirty-nine minutes East one thousand three hundred forty-one and seven tenths feet to an iron pipe driven in the ground; thence South sixty-five degrees forty-one minutes East one thousand seventeen and two tenths feet to an iron pipe driven in the ground on the present north line of the Muir Woods National Monument; thence South eighty-three degrees forty-two minutes West two thousand two hundred fifty-nine feet along the north line of the Muir Woods National Monument to an iron pipe marked "Monument 6" at the northwest corner of the Muir Woods National Monument; thence South eighty-three degrees forty-two minutes West three hundred ten feet to the northeast corner of the Hamilton Tract so called; thence along the line between the Hamilton Tract, so called, and the land of the Mt. Tamalpais and Muir Woods Railway Co. for the following courses and distances, South sixty-two degrees six minutes West five hundred ninety-six and six tenths feet, South sixty-eight degrees forty-eight minutes West two thousand four hundred forty-two and one tenth feet to an iron pipe in the fence line at the corner common to the Hamilton Tract, land of the Mt. Tamalpais and Muir Woods Railway Co., and Ranch "Y" of the land of William Kent; thence North forty-two degrees twenty-eight minutes West seventy-five feet to the point of beginning, containing fifty and twenty-four hundredths acres more or less, all bearings refer to true north, magnetic declination approximately eighteen degrees East, and

Whereas, said relinquishments and conveyances have been accepted by the Secretary of the Interior, in the manner and for the purposes prescribed in said Act of Congress, and

Whereas, an extensive growth of redwood trees (*Sequoia sempervirens*) embraced in said lands is of extraordinary scientific interest and importance because of the primeval character of the forest in which it is located, and of the character, age and size of the trees,

Now, Therefore, I, Warren G. Harding, President of the United States of America, by virtue of the power vested in me by section two of said Act of Congress, do proclaim that said lands hereinbefore described are hereby reserved from appropriation and use of all kinds under the public land laws and set aside as an addition to the Muir Woods National Monument, and that the boundaries of said national monument are now as shown on the diagram hereto annexed and forming a part hereof.

Setting aside addition to National Monument.

Warning is hereby given to all unauthorized persons not to appropriate, cut, injure, destroy or take away any trees on said lands or to occupy, settle or locate upon any lands reserved by this proclamation.

Reserved from settlement, etc.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this monument, as provided in the Act of Congress entitled, "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat., 535) and Acts additional thereto or amendatory thereof.

Supervision, etc., by Director of National Park Service. Vol. 39, p. 535.

In Witness Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 22nd day of September, in the year of our Lord one thousand nine hundred and [SEAL.] twenty-one, and of the Independence of the United States of America the one hundred and forty sixth.

WARREN G. HARDING.

By the President:

CHARLES E. HUGHES  
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 27, 1921.

### A PROCLAMATION.

WHEREAS, the United States suffers through destruction by fire an annual loss of life estimated at 15,000 human beings, most of them women and children, and

Fire Prevention Day. Preamble.

WHEREAS, in the face of the world's dire need for American products our fire losses increased during 1920 to over \$500,000,000, and during the previous five-year period totaled over \$1,416,375,000—buildings, foodstuffs and other created wealth needlessly wiped out of existence—and

WHEREAS, in addition to the above, forest fires, during the five years ended with 1920, further reduced our diminishing timber resources by a total of over \$85,000,000, also threatening with aridity over 56,000,000 acres of hitherto productive woodland, and

WHEREAS, most of our fire losses are due to carelessness and ignorance and may be easily prevented by increased care and education on the part of citizens:

THEREFORE, I, Warren G. Harding, President of the United States, do urge upon the Governors of the various States to designate and set apart October 10th, 1921—anniversary of the Chicago fire—as Fire Prevention Day with these principal objects in view, to wit:

Urging observance of October 10, 1921, as.

Objects designated.

To request the citizens of their States to plan for that day and period, through pulpit, through open forum and through the schools, such instructive and educational exercises as shall im-

press the public mind with the calamitous effects and threatened economic disaster of such unnecessary fire waste;

To urge, as an every day duty of citizenship, individual and collective efforts in conserving our country's natural and created resources, and

To promote systematic instruction in fire prevention in our schools, constant observance of the ordinary precautions that safeguard us from fires, and orderliness in home and community, that we may overcome this lurking peril.

Fire is a danger that never sleeps.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE in the District of Columbia this 27th day of September, in the year of our Lord One Thousand Nine Hundred and [SEAL.] Twenty-one, and of the Independence of the United States, the One Hundred and Forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

September 30, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### PROCLAMATION

Armistice Day.  
Preamble.  
Vol. 41, p. 1447.  
Public Laws, p. 211.

*Post*, p. 23.

WHEREAS the Congress of the United States, by a concurrent resolution adopted on the fourth day of March last authorized the Secretary of War to cause to be brought to the United States the body of an American, who was a member of the American Expeditionary Forces in Europe, who lost his life during the World War and whose identity has not been established, for burial in the Memorial Amphitheatre of the National Cemetery at Arlington, Virginia;

And Whereas, the remains of this unknown American to be brought to the United States in pursuance of the said concurrent resolution, will be buried in the said Memorial Amphitheatre at Arlington on the eleventh day of November next;

And whereas, these remains will be representative of all unidentified American dead who in the World War gave their lives in their country's cause;

And Whereas, it is desired that grateful recognition of their loyal devotion to country and of their sacrifice should be appropriately shown with due solemnity by their God-fearing and patriotic fellow countrymen:

Designating November 11, 1921, for silent prayer for unidentified dead who lost their lives in the World War.

Now, Therefore, I, Warren G. Harding, President of the United States of America, do hereby call upon all devout and patriotic citizens of the United States to pause from their accustomed occupations and labors on Friday the eleventh day of November next from twelve o'clock noon to two minutes past that hour for a period of silent prayer of thanks to the Giver of all good for these valuable and valorous lives and of supplication for His Divine mercy and for His blessings upon our beloved country.

Civil, military, and naval honors directed.

Furthermore, I hereby direct that the National Flag be displayed at half staff upon all the public buildings of the United States and all stations of the Army, Navy and Marine Corps throughout the world, as well as upon all American embassies, legations and consulates, from sunrise until sunset, on November the eleventh, 1921.

PROCLAMATIONS, 1921.

21

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 30th day of September in the year of our Lord one thousand nine hundred and [SEAL.] twenty-one and of the independence of the United States of America the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

October 13, 1921.

A PROCLAMATION.

*To the People of the United States:*

It is my distressing duty to announce to the People of the United States the death of Philander Chase Knox, a Senator from the State of Pennsylvania, and formerly Attorney General and Secretary of State of the United States, which occurred at his residence in Washington on the 12th instant.

Announcing death of Senator Philander Chase Knox, formerly Attorney General and Secretary of State.

In his death his State has lost a most valuable and faithful servant, and his country one of its greatest statesmen. His good judgment, wise discrimination and keen perception eminently fitted him for the legal profession. Admitted to the Bar in 1875, he early became recognized as one of the foremost lawyers of his State. Twice honored by the Commonwealth of Pennsylvania by election to the Senate of the United States he took, by his wise counsel, a prominent part in the framing of our laws and in the direction of our foreign policy. As Attorney General of the United States he rendered opinions noted for their legal ability. As Secretary of State, while guided by the principle to deal justly with all nations, his conduct of our foreign relations was ever marked by a devotion to the best interests of his country.

His private life was characterized by virtues worthy of emulation by all American citizens.

As an expression of the national sorrow at his death and in recognition of his valuable services to his country, his devotion to the public interests and his exalted patriotism, I do hereby direct that the National Flag be displayed at half staff on the Executive Offices of the United States on the day of his funeral, and that on all the Embassies, Legations and Consulates of the United States in foreign countries the National Flag shall be displayed at half staff for ten days from the receipt of this proclamation.

Tribute of respect directed.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 13th day of October in the year of our Lord one thousand nine hundred and [SEAL.] twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*



## PROCLAMATIONS, 1921.

October 31, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION.

Thanksgiving Day,  
1921.  
Preamble.

That season has come when, alike in pursuance of a devout people's time-honored custom and in grateful recognition of favoring national fortunes, it is proper that the President should summon the nation to a day of devotion, of thanksgiving for blessings bestowed, and of prayer for guidance in modes of life that may deserve continuance of Divine favor.

Foremost among our blessings is the return of peace, and the approach to normal ways again. The year has brought us again into relations of amity with all nations, after a long period of struggle and turbulence. In thankfulness therefor, we may well unite in the hope that Providence will vouchsafe approval to the things we have done, the aims which have guided us, the aspirations which have inspired us. We shall be prospered as we shall deserve prosperity, seeking not alone for the material things but for those of the spirit as well; earnestly trying to help others; asking, before all else, the privilege of service. As we render thanks anew for the exaltation which came to us, we may fittingly petition that moderation and wisdom shall be granted to rest upon all who are in authority, in the tasks they must discharge. Their hands will be steadied, their purposes strengthened, in answer to our prayers.

Ours has been a favored nation in the bounty which God has bestowed upon it. The great trial of humanity, though indeed we bore our part as well as we were able, left us comparatively little scarred. It is for use to recognize that we have been thus favored, and when we gather at our altars to offer up thanks, we will do well to pledge, in humility and all sincerity, our purpose to prove deserving. We have been raised up and preserved in national power and consequence, as part of a plan whose wisdom we can not question. Thus believing, we can do no less than hold our nation the willing instrument of the Providence which has so wonderfully favored us. Opportunity for very great service awaits us if we shall prove equal to it. Let our prayers be raised, for direction in the right paths. Under God, our responsibility is great; to our own first, to all men afterward; to all mankind in God's own justice.

Thursday, November 24, 1921, designated as a day of general thanksgiving.

Now, therefore, I, Warren G. Harding, President of the United States of America, hereby designate Thursday, the twenty-fourth day of November, to be observed by the people as a day of Thanksgiving, devotion and prayer; urging that at their hearthsides and their altars they will give thanks for all that has been rendered unto them, and will pray for a continuance of the Divine fortune which has been showered so generously upon this nation.

In Witness Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this thirty-first day of October in the year of our Lord one thousand nine hundred and [SEAL.] twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

November 4, 1921.

A PROCLAMATION.

Whereas a Joint Resolution of Congress, approved November 4, 1921, "To declare November 11, 1921, a legal holiday" provides as follows:

Armistice Day, 1921.  
Preamble.  
Statutory authoriza-  
tion.  
Public Laws, p. 211.  
Act, p. 20.

"Whereas Armistice Day, November 11, 1921, has been designated as the appropriate time for the ceremonies incident to the burial of the unknown and unidentified American soldier in the Arlington National Cemetery, and

Whereas this unknown soldier represents the manhood of America who gave their lives to defend its integrity, honor, and tranquility against an enemy; and

Whereas the nations of the earth are on that date joining with the United States in paying respect and homage to this unknown soldier: Therefore be it

RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the President is hereby authorized to issue a proclamation declaring November 11, 1921, a holiday, as a mark of respect to the memory of those who gave their lives in the late World War, as typified by the unknown and unidentified American soldier who is to be buried in Arlington National Cemetery on that day; and the President is respectfully requested to recommend to the governors of the various States that proclamations be issued by them calling upon their people to pause in their usual pursuits as a mark of respect on this solemn occasion."

Now, Therefore, I, Warren G. Harding, President of the United States of America, in pursuance of the the said Joint Resolution of Congress, do hereby declare November 11, 1921, a holiday, as a mark of respect to the memory of those who gave their lives in the late World War, as typified by the unknown and unidentified American soldier who is to be buried in Arlington National Cemetery on that day; and do hereby recommend to the Governors of the several States that proclamations be issued by them calling upon the people of their respective States to pause in their usual pursuits as a mark of respect on this solemn occasion.

Declaring Novem-  
ber 11, 1921, a holiday  
to commemorate those  
who gave their lives  
in the World War.

And, in order that the solemnity of the occasion may be further emphasized, I do hereby furthermore recommend that all public and church bells throughout the United States be tolled at intervals between 11:45 o'clock a. m. and 12 o'clock noon of the said day, and that from 12 o'clock noon to two minutes past that hour, Washington time, all devout and patriotic citizens of the United States indulge in a period of silent thanks to God for these valuable valorous lives and of supplication for His Divine mercy and for His blessings upon our beloved country.

Recommendation of  
public observance of  
the day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 4th day of November in the year of our Lord one thousand nine hundred and twenty-one and of the independence of the United States of America the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES,  
Secretary of State.

November 4, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

## A PROCLAMATION

Columbia and Colville National Forests, Washington. Preamble.

WHEREAS, by Proclamations, the President of the United States has, at various times, created certain National Forests, within the State of Washington; and

WHEREAS, In order to provide for a proper adjustment of the claims of the State to lands within said National Forests, in satisfaction of its common school grant, a memorandum of agreement was entered into under date of December 22, 1914, between the Secretary of the Department of Agriculture and the State of Washington, whereby it was agreed that the said State should relinquish all its title or claim under its grant in aid of common schools to the whole or parts of certain sections sixteen and thirty-six included within the said National Forests prior to survey, or upon which homestead settlements had been made prior to survey and inclusion within such reservations and legally maintained, and be allowed to select other lands equivalent in acreage and value lying along and within the boundaries of said National Forests in such position that, when eliminated therefrom, all of said selected lands will lie outside the new exterior boundaries of the National Forests; and

WHEREAS, It appears that the public interests would be promoted by modifying Executive Order of July 1, 1908, creating the Columbia National Forest, and Proclamation May 9, 1910, affecting the Colville National Forest, so as to exclude the areas first hereinafter described, and also so as to allow the State of Washington, in furtherance of the aforesaid agreement, to make selections of the lands agreed upon for selection, and hereinafter described, as indemnity in satisfaction of the aforesaid portions of its common school grant;

Now, therefore, I, WARREN G. HARDING, President of the United States of America, by virtue of the power in me vested by the Act of Congress approved June fourth, eighteen hundred and ninety-seven, entitled "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes", do proclaim that the boundaries of the Columbia and Colville National Forests are hereby modified to exclude therefrom the following areas, to wit:

In T. 4 N., R. 10 E., Sec. 16;  
In T. 5 N., R. 10 E., Sec. 16;  
In T. 35 N., R. 27 E., Sec. 36;  
Willamette Meridian.

And I do also proclaim, under authority of the aforesaid act of June fourth, eighteen hundred and ninety-seven, that the said Executive Order and Proclamation are hereby further modified so as to admit of immediate selection by the State of Washington, as indemnity in partial satisfaction of its common school grant and in furtherance of the before mentioned agreement of December 22, 1914, and not otherwise, of the following described lands within the said Columbia and Colville National Forests, Washington, to wit:

In T. 4 N., R. 10 E., Secs. 3, 4 and 5, SE $\frac{1}{4}$  Sec. 6, E $\frac{1}{2}$  Sec. 7, Secs. 8, 9, 10, 15, 17, 18, 19, 20, 21 and 22, N $\frac{1}{2}$ , N $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , N $\frac{1}{2}$  S $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  Sec. 27, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , W $\frac{1}{2}$  E $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 28, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 29, NE $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ , N $\frac{1}{2}$  S $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 30, E $\frac{1}{2}$  SE $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 31, S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  Sec. 32, E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ , W $\frac{1}{2}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  SW $\frac{1}{4}$  of Lot 4, N $\frac{1}{2}$  SE $\frac{1}{4}$ , Lot 2, NW $\frac{1}{4}$  of Lot 1, Sec. 33, N $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Lot 6, Sec. 34;

Vol. 36, p. 2695.

Areas diminished.

Vol. 30, p. 26.

Areas excluded.

Indemnity school grant to State of Washington from.

Description.

In T. 5 N., R. 10 E., Secs. 2, 3, 4, 10, 11, W $\frac{1}{2}$ , SW $\frac{1}{2}$ , NW $\frac{1}{2}$ , SE $\frac{1}{2}$ , W $\frac{1}{2}$ , SE $\frac{1}{2}$ , NW $\frac{1}{2}$ , SE $\frac{1}{2}$ , SW $\frac{1}{2}$ , SE $\frac{1}{2}$ , W $\frac{1}{2}$ , SE $\frac{1}{2}$ , SE $\frac{1}{2}$ , W $\frac{1}{2}$ , E $\frac{1}{2}$ , SE $\frac{1}{2}$ , SE $\frac{1}{2}$ , Sec. 15, Secs. 21, 22, N $\frac{1}{2}$ , NE $\frac{1}{2}$ , W $\frac{1}{2}$ , S $\frac{1}{2}$ , SE $\frac{1}{2}$ , Sec. 27, Secs. 28, 33, Lot 5, NE $\frac{1}{2}$ , NE $\frac{1}{2}$ , NW $\frac{1}{2}$ , NE $\frac{1}{2}$ , W $\frac{1}{2}$ , SW $\frac{1}{2}$ , NE $\frac{1}{2}$ , S $\frac{1}{2}$ , SE $\frac{1}{2}$ , SW $\frac{1}{2}$ , NE $\frac{1}{2}$ , Lot 9, NW $\frac{1}{2}$ , S $\frac{1}{2}$ , Sec. 34;

In T. 35 N., R. 27 E., W $\frac{1}{2}$ , Sec. 14, E $\frac{1}{2}$ , NW $\frac{1}{2}$ , NW $\frac{1}{2}$ , S $\frac{1}{2}$ , NW $\frac{1}{2}$ , N $\frac{1}{2}$ , SW $\frac{1}{2}$ , SE $\frac{1}{2}$ , SW $\frac{1}{2}$ , Sec. 15, Sec. 20, W $\frac{1}{2}$  of Lot 1, W $\frac{1}{2}$ , NE $\frac{1}{2}$ , Lot 5, NW $\frac{1}{2}$  and S $\frac{1}{2}$ , Sec. 21, NE $\frac{1}{2}$ , E $\frac{1}{2}$ , NW $\frac{1}{2}$ , S $\frac{1}{2}$ , SW $\frac{1}{2}$ , NW $\frac{1}{2}$ , and and S $\frac{1}{2}$ , Sec. 22, W $\frac{1}{2}$ , Sec. 23, Secs. 26, 27, 28, Lots 1, 2, 3, 4, 5, 6, 7, 8, E $\frac{1}{2}$ , NE $\frac{1}{2}$ , NE $\frac{1}{2}$ , SE $\frac{1}{2}$ , Sec. 29, Secs. 33, 34 and 35;

In T. 35 N., R. 28 E., S $\frac{1}{2}$ , Sec. 31, S $\frac{1}{2}$ , Sec. 32, SW $\frac{1}{2}$ , Sec. 33;  
Willamette Meridian.

Provided, that all selections by the State of Washington hereunder must be filed within ninety days from the date of this proclamation, and the lands embraced in selections made by the State of Washington hereunder to the extent that such selections receive the final approval of the Secretary of the Interior, be, and the same are, hereby declared eliminated from the Columbia and Colville National Forests, such eliminations to become effective from the date of such approvals.

Selections made by Washington eliminated from National Forests.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this fourth day of November, in the year of our Lord one thousand nine hundred and [SEAL.] twenty-one, and of the Independence of the United States the one hundred and forty-sixth.

WARREN G. HARDING.

By the President:

CHARLES E. HUGHES  
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

November 19, 1921.

### A PROCLAMATION

WHEREAS, it appears that certain of the lands, within the State of Idaho, described in the Act of Congress approved March first, nineteen hundred and twenty-one (41 Stat., 1194), which have been found under the terms of said act to be chiefly valuable for the production of timber or for the protection of stream flow, should be added to the Weiser National Forest;

Weiser National Forest, Idaho. Preamble. Vol. 41, p. 1194.

NOW, THEREFORE, I, WARREN G. HARDING, President of the United States of America, by virtue of the power in me vested by the aforesaid Act of March first, nineteen hundred and twenty-one, entitled "An Act To authorize the addition of certain lands to the Weiser National Forest, Idaho", do proclaim that the boundaries of the Weiser National Forest are hereby changed to include the following described lands:

Area extended.

Boise Meridian

In T. 13 N., R. 5 W., W $\frac{1}{2}$ , E $\frac{1}{2}$  and W $\frac{1}{2}$ , Sec. 4, all Secs. 5 and 6;

In T. 14 N., R. 5 W., Secs. 1, 12, 13, N $\frac{1}{2}$ , SW $\frac{1}{2}$ , N $\frac{1}{2}$ , SE $\frac{1}{2}$ , SW $\frac{1}{2}$ , SE $\frac{1}{2}$ , Sec. 23, NW $\frac{1}{2}$  and NW $\frac{1}{2}$ , NE $\frac{1}{2}$ , Sec. 24.

The withdrawal made by this proclamation shall, as to all lands which are at this date legally appropriated under the public land laws, or embraced in a proper application to enter under the provisions of the Stock-Raising Homestead law, or reserved for any public purpose, be subject to, and shall not interfere with or defeat legal rights under such appropriation, nor prevent the designation of the lands embraced in such application and allowance thereof, nor the use for such public

Legal rights, etc., not affected.

purpose of lands so reserved, so long as such claims are legally maintained, or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 19th day of November, in the year of our Lord one thousand nine hundred and twenty-  
[SEAL.] one, and of the Independence of the United States the one hundred and forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State*

November 20, 1921.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

### A PROCLAMATION

American Education  
Week.  
Preamble.

Whereas public education is the basis of citizenship and is of primary importance to the welfare of the Nation, and

Whereas more than five million boys and girls in America are not availing themselves of our free school advantages and are lacking in that youthful schooling which is so essential to the making of an intelligent citizenship, and

Whereas the experience of the war revealed vast elements of population that are illiterate, physically unfit; or unfamiliar with American ideals and traditions; and our future strength and security are much dependent on their education and commitment to American ideals;

Urging the setting  
apart of December 4 to  
10, 1921, as.

Therefore, I, Warren G. Harding, President of the United States, do urge the Governors of the various States and Territories to set apart December 4th to 10th, inclusive, 1921, as American Education Week, during which

Recommendations of  
observance.

Citizens in every state are urged to give special and thoughtful attention to the needs and the aims of the public schools. It is particularly recommended that effort be addressed to a practical expression of community interest in public education. To that end organizations for civic advancement and social betterment are earnestly requested, when it can be made practicable, to provide programs which will inform the people concerning the vital needs in this direction, instruct them regarding shortcomings and deficiencies in present facilities, and bring to their attention specific, constructive methods by which, in the respective communities, these deficiencies may be supplied. The subject of public education has always been very close to the American heart, and to the fact that it has been made a chief responsibility of local governmental units, we largely owe the wide diffusion of educational facilities. It is believed that a widespread and earnest effort at observance of Education Week would do much to emphasize this feeling of immediate responsibility. Therefore it is suggested that the pulpit, press, schools, and public gatherings be enlisted in behalf of this special effort.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 29th day of November, in the year of our Lord, One Thousand Nine Hundred Twenty-  
[SEAL.] one, and of the Independence of the United States the One Hundred Forty-sixth.

WARREN G. HARDING

By the President:

CHARLES E. HUGHES  
*Secretary of State.*

## INDEX TO FOREGOING PROCLAMATIONS.

| A.  | Page. | Director General of Railroads,   | Page. |
|---|-------|--|-------|
| <i>Aguadilla, P. R.,</i><br>lands in, transferred to Porto Rico for school<br>purposes.....   | 9     | proclamation appointing James C. Davis,<br>as.....   | 5     |
| <i>American Education Week,</i><br>proclamation urging the States to set apart<br>December 4 to 10, 1921, as.....   | 26    | designating, as agent in actions arising<br>out of Federal railroad control.....   | 6     |
| B.  |       | E.   |       |
| <i>Armistice Day, 1921,</i><br>proclamation declaring November 11, 1921,<br>a holiday, to commemorate those<br>who gave their lives in World War.<br>designating November 11, 1921, for silent<br>prayer for unidentified dead of the<br>World War..... | 23    | <i>Education Week, American,</i><br>proclamation urging setting apart Decem-<br>ber 4-11, 1921, as.....  | 26    |
|   | 20    | <i>Extra Session of Congress,</i><br>proclamation convening.....   | 2     |
|   |       | F.   |       |
| <i>Birds, Migratory,</i><br>proclamation modifying regulations for<br>protecting.....   | 8     | <i>Federal Railroad Control,</i><br>proclamation appointing James C. Davis,<br>Director General of Railroads.....                                    | 5     |
| <i>Biscayne Bay, Fla.,</i><br>proclamation reserving Life Saving House<br>of Refuge.....  | 1     | designating, as agent in actions from....  | 6     |
| <i>Boone National Forest, N. C.,</i><br>proclamation merging, into Pisgah National<br>Forest.....   | 2     | <i>Fire Prevention Day, 1921,</i><br>proclamation designating October 10, 1921,<br>as.....   | 19    |
| C.  |       | <i>Florida,</i><br>Biscayne Bay, Life Saving House of<br>Refuge reserved for Coast Guard....   | 1     |
| <i>California,</i><br>Lassen National Forest, area enlarged.....  | 12    | <i>Forest Fires,</i><br>proclamation designating week of May<br>22-28, 1921, as Forest Protection<br>Week.....                                       | 6     |
| Muir Woods National Monument, area<br>extended.....   | 17    | <i>Forest Protection Week, 1921,</i><br>proclamation designating May 22 to 28,<br>1921, as.....  | 6     |
| Plumas National Forest, area modified....   | 13    |  |       |
| Tahoe National Forest, area diminished....  | 13    | I.   |       |
| <i>Coast Guard,</i><br>Biscayne Bay, Fla., house of refuge<br>reserved for.....   | 1     | <i>Idaho,</i><br>Nezperce National Forest, area enlarged..   | 11    |
| <i>Columbia and Colville National Forests,</i><br>Wash.,<br>proclamation diminishing areas of.....  | 24    | Weiser National Forest, area enlarged.....   | 25    |
| <i>Colville and Columbia National Forests,</i><br>Wash.,<br>proclamation diminishing areas of.....  | 24    | <i>Insurrection in West Virginia,</i><br>persons engaged in, commanded to dis-<br>perse.....   | 15    |
| <i>Congress,</i><br>proclamation convening extra session of...  | 2     | K.   |       |
| <i>Crow Indian Reservation, Mont.,</i><br>proclamation extending time for paying<br>installments for ceded lands.....   | 14    | <i>Knox, Senator Philander Chase, formerly</i><br><i>Attorney General and Secretary of</i><br><i>State,</i><br>proclamation announcing death of..... | 21    |
| D.  |       | L.   |       |
| <i>Danzig, Free City of,</i><br>proclamation suspending discriminating<br>duties on vessels of Poland and....   | 7     | <i>Lassen National Forest, Calif.,</i><br>proclamation enlarging area of.....  | 12    |
| <i>Davis, James C.,</i><br>proclamation appointing, as Director Gen-<br>eral of Railroads.....  | 5     | transferring portion of Plumas National<br>Forest, to.....   | 13    |
| to be agent of the President in actions<br>arising out of Federal control of rail-<br>roads, etc.....   | 6     | <i>Life Saving Service,</i><br>Biscayne Bay, Fla., house of refuge re-<br>served for Coast Guard purposes....  | 1     |
| <i>Decoration Day, 1921,</i><br>proclamation of, as a day of public<br>memorial.....  | 7     |  |       |

| M.  |        | Proclamations—Continued.  |        |
|---|--------|---|--------|
|   | Page.  |   | Page.  |
| <i>Marine and Seamen's Division, Veterans' Bureau,</i>  |        | appointing James C. Davis, Director General of Railroads.....   | 5      |
| proclamation continuing, until December 31, 1921.....   | 16     | to be agent in actions arising out of Federal control.....  | 6      |
| <i>Memorial Day,</i>  |        | commanding persons engaged in insurrection in West Virginia to disperse....   | 15     |
| proclamation announcing Monday, May 30, 1921, as.....   | 7      | continuing Marine and Seamen's Division, Veterans' Bureau to December 31, 1921.....                                     | 16     |
| <i>Migratory Birds,</i>   |        | convening extra session of Congress, April 11, 1921.....  | 2      |
| proclamation modifying regulations for protecting.....  | 8      | declaring November 11, 1921, a holiday, to commemorate those who gave their lives in World War.....                     | 23     |
| <i>Montana,</i>   |        | designating November 11, 1921, for silent prayer for unknown American dead of the World War.....                        | 20     |
| Crow Indian Reservation, further extensions to pay installments for ceded lands.....                    | 14     | October 10, 1921, as Fire Prevention Day.....   | 19     |
| <i>Muir Woods National Monument, Calif.,</i>  |        | Thursday, November 24, 1921, as Thanksgiving Day.....   | 22     |
| proclamation enlarging.....   | 17     | week of May 22-28, 1921, as Forest Protection Week.....   | 6      |
| N.  |        | diminishing area of Columbia and Colville National Forests, Wash.....   | 24     |
| <i>Nantahala National Forest, N. C.,</i>  |        | Tahoe National Forest, Calif.....   | 13     |
| portion of, transferred to Pisgah National Forest.....  | 2      | Toiyabe National Forest, Nev.....   | 10     |
| <i>National Forests,</i>  |        | enlarging area of Lassen National Forest, Calif.....  | 12     |
| proclamation diminishing area of Columbia and Colville, Wash.....                                       | 24     | Nezperce National Forest, Idaho.....  | 11     |
| Tahoe, Calif.....   | 13     | Pisgah National Forest, N. C.....   | 2      |
| Toiyabe National Forest, Nev.....   | 10     | Wasatch National Forest, Utah.....  | 11     |
| enlarging area of Lassen, Calif.....  | 12     | Weiser National Forest, Idaho.....  | 25     |
| Nezperce, Idaho.....  | 11     | modifying area of Plumas, Calif.....  | 13     |
| Wasatch, Utah.....  | 11     | <i>National Monuments,</i>  |        |
| Pisgah, N. C.....   | 2      | proclamation enlarging Muir Woods, Calif. Nevada,   | 17     |
| Weiser, Idaho.....  | 25     | Toiyabe National Forest, area diminished.   | 10     |
| modifying area of Plumas, Calif.....  | 13     | <i>Nezperce National Forest, Idaho,</i>   |        |
| <i>National Monuments,</i>  |        | proclamation enlarging area of.....   | 11     |
| proclamation enlarging Muir Woods, Calif. Nevada,   | 17     | <i>North Carolina,</i>  |        |
| Toiyabe National Forest, area diminished.   | 10     | Pisgah National Forest, area enlarged.....  | 2      |
| <i>Nezperce National Forest, Idaho,</i>   |        | O.  |        |
| proclamation enlarging area of.....   | 11     | <i>Olmstead Lands, N. C.,</i>   |        |
| <i>North Carolina,</i>  |        | proclamation merging, into Pisgah National Forest.....  | 2      |
| Pisgah National Forest, area enlarged.....  | 2      | P.  |        |
| O.  |        | <i>Pisgah National Forest, N. C.,</i>   |        |
| <i>Olmstead Lands, N. C.,</i>   |        | proclamation extending area of.....   | 2      |
| proclamation merging, into Pisgah National Forest.....  | 2      | <i>Plumas National Forest, Calif.,</i>  |        |
| P.  |        | proclamation modifying area of.....   | 13     |
| <i>Pisgah National Forest, N. C.,</i>   |        | transferring portion of Tahoe National Forest, Calif., to.....  | 13     |
| proclamation extending area of.....   | 2      | transferring to Lassen National Forest, portion of.....   | 12, 13 |
| <i>Plumas National Forest, Calif.,</i>  |        | <i>Poland,</i>  |        |
| proclamation modifying area of.....   | 13     | proclamation suspending discriminating duties on vessels of Danzig and....  | 7      |
| transferring portion of Tahoe National Forest, Calif., to.....  | 13     | <i>Porto Rico,</i>  |        |
| transferring to Lassen National Forest, portion of.....   | 12, 13 | proclamation transferring lands in Aguadilla to, for school purposes.....   | 9      |
| <i>Poland,</i>  |        | <i>Proclamations,</i>   |        |
| proclamation suspending discriminating duties on vessels of Danzig and....                              | 7      | announcing death of Senator Philander Chase Knox, formerly Attorney General and Secretary of State.....                 | 21     |
| <i>Porto Rico,</i>  |        | Monday, May 30, 1921, as a day of public memorial.....  | 7      |
| proclamation transferring lands in Aguadilla to, for school purposes.....                               | 9      | R.  |        |
| <i>Proclamations,</i>   |        | <i>Railroads, Director General of,</i>  |        |
| announcing death of Senator Philander Chase Knox, formerly Attorney General and Secretary of State..... | 21     | proclamation appointing James C. Davis as designating, as agent in actions arising out of Federal railroad control..... | 6      |
| Monday, May 30, 1921, as a day of public memorial.....  | 7      | T.  |        |
| Proclamations—Continued.  |        | <i>Tahoe National Forest, Calif.,</i>   |        |
| appointing James C. Davis, Director General of Railroads.....   | 5      | proclamation diminishing area of.....   | 13     |
| to be agent in actions arising out of Federal control.....  | 6      | <i>Thanksgiving Day, 1921,</i>  |        |
| commanding persons engaged in insurrection in West Virginia to disperse....                             | 15     | proclamation designating Thursday, November 24, 1921, as.....   | 22     |
| continuing Marine and Seamen's Division, Veterans' Bureau to December 31, 1921.....                     | 16     |   |        |
| convening extra session of Congress, April 11, 1921.....  | 2      |   |        |
| declaring November 11, 1921, a holiday, to commemorate those who gave their lives in World War.....     | 23     |   |        |
| designating November 11, 1921, for silent prayer for unknown American dead of the World War.....        | 20     |   |        |
| October 10, 1921, as Fire Prevention Day.....   | 19     |   |        |
| Thursday, November 24, 1921, as Thanksgiving Day.....   | 22     |   |        |
| week of May 22-28, 1921, as Forest Protection Week.....   | 6      |   |        |
| diminishing area of Columbia and Colville National Forests, Wash.....                                   | 24     |   |        |
| Tahoe National Forest, Calif.....   | 13     |   |        |
| Toiyabe National Forest, Nev.....   | 10     |   |        |
| enlarging area of Lassen National Forest, Calif.....  | 12     |   |        |
| Nezperce National Forest, Idaho.....  | 11     |   |        |
| Pisgah National Forest, N. C.....   | 2      |   |        |
| Wasatch National Forest, Utah.....  | 11     |   |        |
| Weiser National Forest, Idaho.....  | 25     |   |        |
| modifying area of Plumas, Calif.....  | 13     |   |        |
| <i>National Monuments,</i>  |        |   |        |
| proclamation enlarging Muir Woods, Calif. Nevada,   | 17     |   |        |
| Toiyabe National Forest, area diminished.   | 10     |   |        |
| <i>Nezperce National Forest, Idaho,</i>   |        |   |        |
| proclamation enlarging area of.....   | 11     |   |        |
| <i>North Carolina,</i>  |        |   |        |
| Pisgah National Forest, area enlarged.....  | 2      |   |        |

|   |             |
|---|-------------|
| <i>Toiyabe National Forest, Nev.,</i><br>proclamation diminishing area of.....  | Page.<br>10 |
| <i>Tonnage Duties,</i><br>suspension of discriminating duties on<br>vessels of Poland and Danzig.....   | 7           |
| <i>Transportation Act, 1920,</i><br>proclamation appointing James C. Davis,<br>Director General of Railroads.....   | 5           |
| designating James C. Davis as agent in<br>actions arising out of Federal control.....   | 5           |
| U.  |             |
| <i>Unknown American Soldier,</i><br>proclamation designating November 11,<br>1921, the day of burial of, in Arlington<br>Cemetery, for silent prayer for<br>those who lost their lives in the<br>World War..... | 20          |
| holiday in respect to, and those who<br>gave their lives in World War.....  | 23          |
| <i>Utah,</i><br>Wasatch National Forest, area enlarged..  | 11          |
| V.  |             |
| <i>Veterans' Bureau, United States,</i><br>Marine and Seamen's Division, continued<br>until December 31, 1921.....  | 16          |

45691°—21—40

|  |             |
|--|-------------|
| W.   |             |
| <i>War Risk Insurance Bureau,</i><br>Marine and Seamen's Insurance Division<br>of, continued until December 31,<br>1921..... | Page.<br>16 |
| <i>Wasatch National Forest, Utah,</i><br>proclamation enlarging area of.....   | 11          |
| <i>Washington,</i><br>Columbia and Colville National Forest,<br>area diminished.....   | 24          |
| indemnity school grant from, to State...   | 24          |
| <i>Weiser National Forest, Idaho,</i><br>proclamation extending area of.....   | 25          |
| <i>West Virginia,</i><br>proclamation commanding persons engaged<br>in insurrection in, to disperse.....                     | 15          |
| <i>World War,</i><br>proclamation designating November 11,<br>1921, for silent prayer for unknown<br>American dead of.....   | 20          |
| holiday to commemorate those who gave<br>their lives in.....   | 23          |

















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